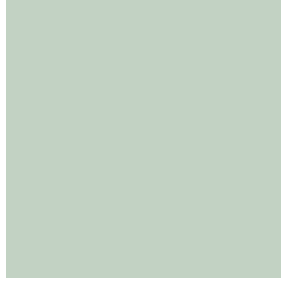
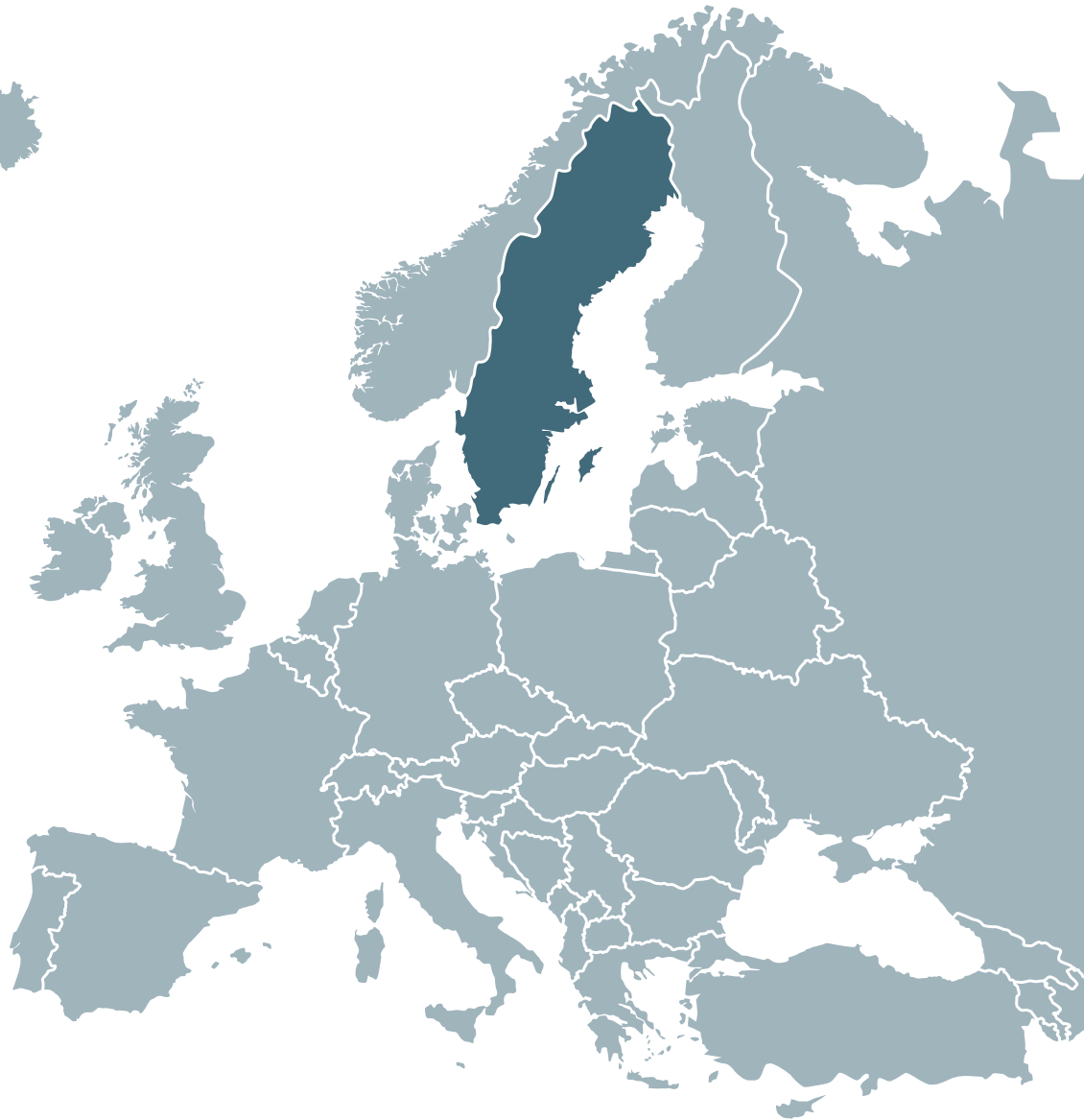


UPDATE ON 2025



SWEDEN



COUNTRY REPORT

JUNE 2026

Acknowledgements & Methodology

This report was prepared by the Swedish Refugee Law Center under the lead of Siri Sandin with contributions from, Anna-Pia Beier, Saloa Rubil, Louise Dane, Karl Nilsson and Elias Nygren at the Swedish Refugee Law Center, and edited by the European Council on Refugees and Exiles (ECRE). The Annex on Temporary Protection in Sweden was authored by Karl Nilsson at the Swedish Refugee Law Center and edited by ECRE.

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This report draws on the practice of civil society organisations and other relevant actors, statistical information from the Swedish Migration Agency, the Swedish Migration Courts, as well as legal guidance documents and reports from the Migration Agency. The author would like to thank the Swedish Migration Agency and the Swedish National Courts Administration for their input.

The 2025 update to the AIDA country report on Sweden was shared with the Swedish Migration Authority to provide them with the opportunity to provide comments on the draft country report.

The information in this report is up to date as of 31 December 2025, unless otherwise stated.

The Asylum Information Database (AIDA)

The Asylum Information Database (AIDA) is managed by the European Council on Refugees and Exiles (ECRE). It aims to provide up-to date information which is accessible to researchers, advocates, legal practitioners and the general public through the dedicated website www.asylumineurope.org. It covers 27 countries, including 21 EU Member States (AT, BE, BG, CY, CZ, DE, ES, FR, GR, HR, HU, IE, IT, MT, NL, PL, PT, RO, SE, SK, and SI) and 6 non-EU countries (Egypt, Serbia, Switzerland, Türkiye, Ukraine and the United Kingdom). The database also seeks to promote the implementation and transposition of EU asylum legislation reflecting the highest possible standards of protection in line with international refugee and human rights law and based on best practice.



This report is part of the Asylum Information Database (AIDA), partially funded by the European Union's Asylum, Migration and Integration Fund (AMIF) and ECRE. The contents of this report are the sole responsibility of ECRE and can in no way be taken to reflect the views of the European Commission.



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Glossary & List of Abbreviations

AMIF	Asylum, Migration and Integration Fund
CAT	UN Committee Against Torture
CJEU	Court of Justice of the European Union
CPT	Council of Europe Committee on the Prevention of Torture
CRPD	UN Committee on the Rights of Persons with Disabilities
CSN	Swedish Board of Student Finance Centrala studiestödsnämnden
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
ERF	European Refugee Fund
EUAA	European Union Agency for Asylum
FARR	Swedish Network of Refugee Support Groups Flyktinggruppernas Riksråd
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
JO	Parliamentary Ombudsman
JK	Chancellor of Justice
LGBTQI	Lesbian, gay, bisexual, transsexual, queer and intersex
LMA	Law on the Reception of Asylum Seekers
NPM	National Preventive Mechanism
TPD	Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof
RFSL	Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex rights
RMV	National Board of Forensic Medicine Rättsmedicinalverket
SKR	Swedish Association of Local Authorities and Regions Sveriges Kommuner och Regioner
UNHCR	United Nations High Commissioner for Refugees
UNRWA	United Nations Relief and Works Agency

Statistics

Overview of statistical practice

The Swedish Migration Agency publishes monthly statistical reports on asylum applications and first instance decisions.¹ These include a breakdown per nationality, as well as statistics specifically relating to unaccompanied children.

Applications and granting of protection status at first instance: 2025

	New applicants in 2025	Pending at the end of 2025	Total decisions in 2025	Total in merit decisions ²	Total rejections	In merit rejections ³	Refugee status	Subsidiary protection	Humanitarian protection
Total	6,737	2,511	8,339 ⁴	2,919	4,558	3,809	1,087	197	355

Breakdown by the main countries of origin of the total numbers of asylum applicants:

Afghanistan	707	264	839	587	255	230	222	23	65
Syria	544	397	676	345	279	240	102	45	25
Iran	372	196	507	167	295	276	95	3	18
Iraq	329	143	483	155	286	258	43	8	32
Eritrea	294	84	183	319	103	72	139	12	17
Ukraine⁵	261	84	304	33	146	146	1	1	6
Uzbekistan	260	52	309	25	250	202	9	1	0
Türkiye	257	130	335	137	179	152	86	0	6
Colombia	172	26	218	11	173	169	7	1	1
Mongolia	159	36	158	19	108	74	0	0	13

Source: Information provided by the Swedish Migration Agency via e-mail in January 2026, and the Swedish Migration Agencies Monthly Statistical Report of December 2025 (månrap 2512), page 11.

¹ Information provided by the Swedish Migration Agency in January 2026.

² The reason the total number of "in merit decisions" does not match the sum of rejections and grants of residence permits on protection or humanitarian grounds is because the data comes from different reports. Figures for refugee status, subsidiary protection, and humanitarian protection are based on a different total number of applicants than the figures for total applicants in a given year, pending cases at the end of the year, total decisions, and in merit decisions. This discrepancy arises because the reports use different data sets.

³ You can find more information about inadmissibility [here](#).

⁴ Affected by a previous halt to decisions on Syrian asylum cases. The processing of Syrian cases resumed on 11 September 2025.

⁵ The numbers regarding Ukraine only concern cases that are not handled in line with the Temporary Protection Directive.

Notes:

- ❖ These numbers are defined as first-time applicants. However, applications by persons who have previously had their applications rejected and who apply again after their expulsion decision has become statute-barred (which it is four years after the decision has become final) may also be registered as first-time applications.
- ❖ Please note that the numbers for refugee status, subsidiary protection and humanitarian protection are based on other total numbers of applicants because the numbers are from another report than the numbers regarding applicants in a year, pending at end of year, total decisions in year, total in merit decisions, total rejection and in merit rejection. The Swedish Migration Agency uses different definitions in different reports, which makes the numbers different in the various sources. Statistics on decisions cover the decisions taken throughout the year, regardless of whether they concern applications lodged that year or in previous years.
- ❖ Humanitarian protection (in Swedish *synnerligen ömmande omständigheter*) is found in Chapter 5 Section 6 of the Alien Act. If a residence permit cannot be granted on other grounds, a permit may be granted to a foreign national if, based on a comprehensive assessment of the foreign national's situation, there are such exceptionally compelling circumstances that they should be allowed to stay in Sweden. In the assessment, the foreign national's health condition, adaptation to Sweden, and situation in the home country shall be particularly considered. Children may also be granted residence permits even if the circumstances presented do not have the same severity and weight required for permits to be granted to adult individuals.

Applications and granting of protection status at first instance: rates for year 2025⁶

	Overall rejection rate	In merit rejection rate ⁷	Overall protection rate ⁸	In merit protection rate	Refugee status recognition rate	Subsidiary protection rate	Humanitarian protection rate
Total	77%	65%	23%	35%	37.2%	6.7%	12.2%

Breakdown by the main countries of origin of the total numbers

Afghanistan	57%	30%	43%	70%	37.8%	3.9%	11.1%
Syria	70%	49%	30%	51%	29.6%	13%	7.2%
Iran	74%	67%	26%	33%	56.9%	1.8%	10.8%
Iraq	75%	68%	25%	32%	27.7%	5.2%	20.6%
Eritrea	53%	21%	47%	79%	43.6%	3.8%	5.3%
Ukraine	94%	89%	6%	11%	3%	3%	18%
Uzbekistan	94%	92%	6%	8%	36%	4%	0%
Türkiye	68%	59%	32%	41%	62.8%	0%	4.4%
Colombia	96%	95%	4%	5%	63.6%	9%	9%
Mongolia	91%	88%	9%	12%	0%	0%	68.4%

Source of the percentages: The Swedish Migration Agency Monthly Statistical Report December 2025 (månrap 2512), pages 5, 11 and a calculation based on the numbers from the table above.

⁶ Information provided by the Swedish Migration Agency in January 2026.

⁷ You can find more information about inadmissibility [here](#).

⁸ Including humanitarian protection.

Gender/age breakdown of the total number of applicants: 2025

	Men	Women	Adults	Children	
				Accompanied	Unaccompanied
Number	3,964	2,773	5,102 ⁹	1,458	177
Percentage	59%	41%	75.7%	21,7%	2,6%

Source: Information provided by the Swedish Migration Agency in January 2026.

Note: The gender breakdown (Men/Women) applies to all applicants, not only adults.

First instance and appeal decision rates: 2025¹⁰

It should be noted that, during the same year, the first instance and appeal authorities handle different caseloads. Thus, the decisions below do not concern the same applicants.

	First instance		Appeal	
	Number	Percentage	Number	Percentage
Total number of decisions	8,339 ¹¹	100%	5,920	100%
Positive decisions	1,957	23.5%	381	6%
• <i>Refugee status</i> ¹²	1,087	55.5%	Not Available	Not Available
• <i>Subsidiary protection</i> ¹³	197	10%	Not Available	Not Available

⁹ This number is obtained by calculating the total number of men and women and then removing accompanied and unaccompanied children.

¹⁰ Information provided by the Migration Agency in January 2026.

¹¹ Includes cases that have been rejected in merit and cases that have not been taken up for processing because the asylum seeker has already applied for asylum in another EU country in accordance with the Dublin Regulation, which is why all other percentages than the total decisions does not add up to 100%. The total numbers from both First instance and Appeal does not match positive and negative decisions. In First instance, the missing 21.5% are cases that were dismissed and cancelled. For example, incorrectly entered cases or duplicates. In Appeals, the missing 11% percentage are cases that are referred back to the Swedish Migration Agency for processing. This is why the percentage of positive and negative decisions on appeal does not add up to 100%.

¹² The percentage for the Refugee status are calculated over the total of positive decision and not the total decisions.

¹³ The percentage for the Subsidiary protection status are calculated over the total of positive decision and not the total decisions.

• <i>Other</i> ¹⁴¹⁵	355	18%	Not Available	Not Available
Negative decisions	4,558	55%	4,913	83%

Source: The Swedish Migration Agency, Monthly Statistical Report December 2025, pages 9, 22.

¹⁴ The percentage for Other are calculated over the total of positive decisions and not the total decisions.

¹⁵ This could, for example, be positive decisions granting a resident permit on humanitarian grounds, relatives to refugees, children born in Sweden with parents with resident permits, or persons who for various reasons have been granted a resident permit to live together with relatives in Sweden, The percentage of the 'Other' statuses is calculated over the total of positive decision and not the total decisions.

Overview of the legal framework

Main legislative acts relevant to asylum procedures, reception conditions, detention and content of protection

Title in English	Original Title (SE)	Abbreviation	Web Link
Aliens Act, 2005:716	Utlänningslag (2005:716)	UtlL	Utlänningslag (2005:716) (SE)
Law on Reception of Asylum Seekers and Others, 1994:137	Lag (1994:137) om mottagande av asylsökande	LMA	Lag (1994:137) om mottagande av asylsökande (SE)
Act concerning Special Controls of Certain Aliens, 2022:700	Lag (2022:700) om särskild kontroll av vissa utlänningar		Lag (2022:700) om särskild kontroll av vissa utlänningar (SE, EN)

Main implementing decrees and administrative guidelines and regulations relevant to asylum procedures, reception conditions, detention and content of protection

Title in English	Original Title (SE)	Abbreviation	Web Link
Aliens Act Ordinance, 2006:97	Utlänningsförordning (2006:97)	UtlF	Utlänningsförordningen (2006:97) (SE)
Ordinance on the Act on Reception of Asylum Seekers, 1994:361	Förordning (1994:361) om lagen om mottagande av asylsökande		Förordning (1994:361) om lagen om mottagande av asylsökande (SE)
Ordinance with Instructions for the Migration Agency, 2019:502	Förordning (2019:502) med instruktion för Migrationsverket		Förordning (2019:502) med instruktion för Migrationsverket (SE)

Overview of the main changes since the previous report update

The report was previously updated in **May 2025**.

National context

- ❖ **Key asylum statistics at first instance:** In 2025, 6,737 preliminary applications for international protection were lodged in Sweden, representing a 30% decrease compared to 2024. Applications have been declining steadily since 2022, with the total decrease from 2022 to 2025 amounting to 60%. Most first-time applications were lodged by nationals of Afghanistan (707), Syria (544), Iran (372), Iraq (329) and Eritrea (294). At first instance, the in-merit rate was 35%, a decrease from 40% in 2024. The recognition rate for Afghans was 70%, an increase from 64% in 2024. The recognition rate for Syrian nationals was 51%, a substantial decrease from 84% in 2024 and 2023. The backlog of pending cases at the end of 2025 was of 2,511 cases, a significant decrease from 3,971 cases in 2024. The average length of proceedings decreased slightly from 187 days in 2024 to 180 days in 2025. 7,447 subsequent applications were lodged in 2025, particularly from nationals from Iraq, Iran, Afghanistan and Uzbekistan.
- ❖ **The Pact on Migration and Asylum (the Pact):** The Government appointed an inquiry on 21 November 2024 to review the need to adapt Swedish legislation in line with the Pact instruments concerning asylum procedures and screening, including mechanisms for monitoring fundamental rights. The inquiry submitted its report to the Government on 24 November 2025, and consultation bodies were given until 7 January 2026 to analyse and comment on its contents. This represented an unusually short consultation period for legislation of such scope and was criticised, among others, by the Swedish Human Rights Institute, who stated that it considered several of the proposals presented in the inquiry to constitute general and serious restrictions on the rule of law and on human rights.

On 6 May 2026, the Government submitted its final legislative bill concerning the implementation of the Pact. The bill includes, inter alia, provisions on screening procedures at the external border, the introduction of border procedures in asylum cases, amendments related to the new Eurodac system, and mechanisms for monitoring fundamental rights during screening and border procedures. The legislative amendments are proposed to enter into force, for the most part, on 12 July 2026, i.e. one month after the Pact becomes applicable. It nevertheless remains unclear how the authorities will handle cases during the interim period between 12 June 2026 and 12 July 2026. Overall, the general response from the consultation bodies indicates that the proposed legislative changes could have significant consequences for asylum seekers. In particular, there appears to be limited analysis of the potential impact from the perspective of the applicants themselves. Certain changes may substantially restrict procedural rights and create challenges in ensuring full compliance with Sweden's international obligations. While the proposals aim to implement the Pact efficiently, they raise concerns regarding the protection of individual human rights and the adequacy of safeguards within the proposed legislative framework.

The Council on Legislation (Lagrådet), in its opinion on the Government's legislative proposal, raised significant criticism regarding the legislative process. It noted that the proposals lack overall coherence, that the consultation period was unacceptably short, and that comments and criticism submitted during the referral process were scarcely addressed. According to the Council, much of the legislative work also appears to have been guided by the Tidö Agreement¹⁶ — the political agreement between the governing parties and the Sweden Democrats.

The Council further stated that an overly simplified view of refugee migration had resulted in proposals that were insufficiently scrutinised and lacking in the democratic legitimacy that the referral procedure is intended to ensure. In its view, the preparatory process was therefore affected by serious deficiencies.

¹⁶ 'Tidöavtalet - Överenskommelse för Sverige', available in Swedish [here](#).

The Council also repeatedly emphasised that the Government appeared to approach the EU Pact in an overly mechanical manner, losing sight of the fact that the rules concern human beings. In this regard, the Council stated: *“What common humanity requires is admittedly an ethical question, but as regards the individual’s right to be recognised and thereby treated as a refugee, the principles of proportionality that permeate the European Convention on Human Rights and otherwise characterise the legal order must be taken into account.”*¹⁷

The Government platform agreement – Tidö Agreement: In 2025, several legal amendments stemming from the Tidö Agreement came into effect and several government inquiries concerning other restrictions were completed. The Government intends to implement the announced legislative changes agreed upon under the Tidö Agreement before the general election on 13 September 2026. A selection follows in the sections below.

Asylum procedure

- ❖ **General conditions:** During 2025, the Government presented two major inquiries aimed at reducing rights to a minimum level while remaining formally compliant with Sweden’s international obligations.

The first part of the inquiry proposed the removal of the possibility for persons holding asylum-related residence permits to be granted permanent residence permits, replacing them with exclusively temporary permits. This approach would also extend to family members granted residence permits on the basis of family ties to beneficiaries of international protection in Sweden. The inquiry further proposes restrictions on the role of legal representatives, limiting the mandate of publicly appointed legal counsels at first instance to one hour of legal advice, with full representation only reinstated at the appeal stage. The inquiry further seeks to expand the grounds on which asylum applications may be dismissed and to increase the number of cases classified as manifestly unfounded. The Government bill was published on 6 May 2026. The proposed legislative amendments are intended to enter into force on 12 July 2026, with the exception of the amendments relating to the new Reception Act, which are proposed to enter into force on 2 October 2026. Parliament has not yet voted on the proposals.

Taken together with the Government referral on the implementation of the Pact on Migration and Asylum, the Swedish migration system is facing major changes during 2026.

The second part of the inquiry proposed a legal framework allowing for the revocation of existing permanent residence permits and their replacement with temporary permits. All of the proposals have been met with criticism from consultation bodies; however, the proposal to revoke permanent residence permits has particularly been subject to strong criticism from both consultation bodies and the media. Due to the significant opposition that the proposal on the revocation of residence permits has faced, the Government has stated that it intends to postpone the proposal until the next parliamentary term.

- ❖ **The situation for undocumented migrants:** On 12 March 2025, the Swedish Parliament adopted a bill introducing several changes: (i) an extension of the period during which a return decision remains valid, (ii) longer re-entry bans, and (iii) the removal of the possibility to switch from an asylum application to a work permit application. One consequence of the extended validity period is that a return decision now will remain enforceable for as long as the individual remains in Sweden. Previously, such decisions were subject to a limitation period of four years, making the new system a departure from the earlier regime. Another consequence is that individuals who have switched tracks from an asylum application to a work permit will no longer be able to extend their permits. The Swedish Migration Agency estimates that approximately 4,700 people may face difficulties renewing their work permits as a result of this change in legislation. The bill entered into force on 1 April 2025, and does not include any transitional provisions, meaning that the amendment also applies to return decisions and work permit applications issued before that date.

¹⁷ Lagrådet, Lagrådsremiss - Utmönstring av permanent uppehållstillstånd och anpassning av svensk rätt till EU:s migrations- och asylpakt, our translation, available in Swedish [here](#).

As of early 2026, the Government has indicated its intention to proceed with a legislative proposal introducing reporting obligations for certain public authorities. While healthcare, schools and social services remain exempted, the proposal expands obligations for other authorities and strengthens internal immigration controls. No final bill has been adopted as of May 2026.

- ❖ **Resettled refugees:** As decided in the Tidö Agreement, Sweden lowered the number of resettled refugees accepted from 5,000 in 2022 to 900 the per year the consecutive years. 861 refugees were resettled to Sweden during 2025.
- ❖ **Stricter requirements regarding conduct for residence permits:** In February 2026, the Government presented a legislative proposal in the form of a referral to the Council on Legislation introducing stricter rules on expulsion on account of criminal offences. The proposal provides for expanded possibilities to refuse and revoke residence permits, as well as to order expulsion, on the basis of criminal conduct. It introduces a more far-reaching assessment of an individual's behaviour, where both the seriousness of the offence and the risk of continued criminal activity are to be given increased weight. Examples cited include unwillingness to pay debts, abuse of the welfare system, or other forms of non-compliance with regulations. It may also concern close associations with criminal networks or violent extremist organisations. In addition, the proposal provides for lowering the threshold for expulsion in cases of criminal offences and reducing the weight given to an individual's ties to Sweden in the proportionality assessment. It also provides that a wider range of offences may lead to expulsion, including cases where the sentence does not reach the thresholds that are currently established.

On 4 May 2026, the Government submitted the final legislative bill. The legislative amendments are proposed to enter into force, for the most part, on 13 July 2026.

Reception conditions

- ❖ **Housing:** According to the Tidö political agreement, the migration legislation will be subject to comprehensive changes with the aim of restricting the rights of asylum seekers to a minimum level in accordance with international obligations.
- ❖ The first step in the Government's reform of the reception system entered into force on 1 March 2025 for individuals submitting a new asylum application, and on 1 September 2025 for those already registered in the reception system. Prior to this, asylum seekers had generally been free to choose and arrange their own accommodation if they did not wish to reside in facilities operated by the Swedish Migration Agency. From the dates above, however, residence in a designated reception centre became a condition for receiving the daily allowance. The Swedish Migration Agency is also granted additional authority to verify that asylum seekers reside at the designated accommodation and to withdraw the right to accommodation and financial assistance from individuals who fail to maintain contact with the authorities. Additionally, a statutory obligation is introduced for asylum seekers to participate in a societal introduction program.
- ❖ In February 2026, the Government presented a legislative proposal in the form of a referral to the Council on Legislation for a new Act on the reception of asylum seekers. The proposal introduces a more restrictive regulatory framework governing reception conditions.

The proposal includes strengthened obligations for asylum seekers, such as participation in attendance checks at their accommodation, compliance with reporting obligations to the Swedish Migration Agency, and restrictions requiring individuals to remain within the county where the assigned accommodation is located. Non-compliance with these obligations, including leaving the assigned county, may result in a reduction of the daily allowance.

- ❖ To align Swedish regulations with the EU's minimum standards regarding the reception conditions for asylum seekers, the proposal is to introduce a six-month time limit before asylum seekers gain access to the labour market. The proposal also includes a change in how the daily allowance is calculated, using a system of percentage of the national standard for income support instead of a fixed number (which will, most likely, raise the allowance). It further suggests reinstating the right to

accommodation and daily allowance to all individuals subject to a deportation order, which would improve conditions for adults facing deportation (as, currently, adults without minor children generally lack entitlement to accommodation and allowances when they have enforceable deportation orders). The legislative changes are proposed to enter into force on 1 October 2026.

Detention of asylum seekers

- ❖ **Detention:** On 23 March 2026, the Government submitted a legislative proposal regarding supervision and detention. The bill confirms extended maximum time limits for detention, expanded grounds for detention, the introduction of electronic monitoring as an alternative measure, and enhanced powers for the Swedish Migration Agency to use coercive measures in specific situations.

Criticism of the proposals has, among other things, concerned the suggested expanded detention options and duration for children, the extended maximum time limits for adult detention, and the granting of authority to the Swedish Migration Agency to use handcuffs or other restraints in cases of violent behaviour.

The legislative changes are proposed to take effect on 21 July 2026.

Content of international protection

- ❖ **Family reunification:** On 5 September 2025, a Government inquiry presented proposals for stricter conditions on family reunification. The proposals include, *inter alia*, the introduction of a waiting period before an application for family reunification may be lodged in certain cases, the extension of maintenance requirements to a broader range of situations than under the current framework, and a restriction of the possibilities for exemptions from the existing maintenance requirement. As a general rule, the maintenance requirement would also be assessed upon applications for extension of residence permits.

Furthermore, the category of family members eligible for residence permits would be limited in certain respects, and the scope for refusing residence permits on family-tie grounds in cases not governed by EU law would be expanded. The inquiry proposes that the amendments enter into force on 1 January 2027, while providing that the proposed waiting period should not apply to cases initiated with the Swedish Migration Agency prior to the entry into force.

The proposals have been subject to public consultation, and the final Government Bill is expected to be presented in June 2026. However, already on 6 October 2025, the Government and the Sweden Democrats announced their intention to proceed with those elements of the inquiry's proposals that entail stricter requirements.

- ❖ **Citizenship:** On 29 April 2026, Parliament voted in favour of amending the rules on citizenship in Sweden, introducing stricter requirements for acquiring Swedish citizenship. The legislative change includes, *inter alia*, an extension of the required period of residence from five to eight years, stricter requirements relating to good conduct, and the introduction of a requirement of financial self-sufficiency. It further provides for the introduction of mandatory tests in the Swedish language and in civic knowledge as conditions for acquiring citizenship. In addition, the proposal entails stricter rules regarding the assessment of criminal conduct, including longer waiting periods before individuals who have committed offences may be granted citizenship.

The adopted changes departs from the inquiry's recommendation regarding transitional provisions and provides for that the legislative amendments shall enter into force without such provisions, meaning that they may also affect applications submitted prior to the entry into force. This is particularly noteworthy in light of the criticism directed at the Swedish Migration Agency by the Parliamentary Ombudsman (JO) and the Chancellor of Justice (JK) concerning prolonged processing times in citizenship cases. The legislative amendments will enter into force on 6 June 2026. However, the amendments concerning the citizenship test in Swedish reading and listening comprehension at a functional level are proposed to enter into force on 1 October 2027, or on an earlier date determined by the Government. The remaining amendments relating to the Swedish language citizenship test are proposed to enter into force on a date to be decided by the Government.

- ❖ On 18 March 2026, a Government inquiry presented proposals introducing the possibility to revoke Swedish citizenship in certain circumstances. The proposal provides that Swedish citizenship may be withdrawn from individuals holding dual nationality who have acquired citizenship through incorrect or misleading information, or who have been convicted of particularly serious crimes. The proposed framework emphasises the need for a proportionality assessment in each individual case and includes specific safeguards, such as consideration of the best interests of the child. It is further proposed that children may, under certain conditions, also be affected by a decision to revoke citizenship, provided that this does not result in statelessness.

The proposal is linked to ongoing constitutional amendments and would require changes to the Instrument of Government before it can enter into force. In an initial vote held on 20 May 2026, the Swedish Parliament voted in favour of the proposal. A second vote during the next parliamentary term will therefore be required. The inquiry suggests that the legislative changes could enter into force at the earliest in 2027–2028.

- ❖ **Work permit:** On 18 March 2026, the Swedish Parliament adopted the Government's legislative proposal on stricter rules for labour migration. Among other measures, the proposal raises the minimum salary threshold for work permits from 80 to 90 percent of the median salary, corresponding to SEK 33,390 per month (approximately EUR 3,160 at the exchange rate as of January 29, 2026). The Government is also granted the authority to determine exemptions and to exclude specific occupational groups. Professions in which there is a serious risk of abuse of the labour immigration system may be excluded from eligibility for a work permit. Following this, the Government have tasked the Swedish Migration Agency, in cooperation with the Public Employment Service, with proposing which occupations may be exempted from the proposed minimum salary requirement for labour immigration. The Swedish Migration Agency and the Public Employment Service submitted their report on 20 March 2026, proposing a list of occupations that could be exempted from the new salary threshold for labour immigration. The proposal includes occupations where there is an established labour shortage that cannot be met within Sweden, or within a particular part of Sweden, and where the minimum salary under collective agreements or established practice falls below the proposed salary threshold. On 22 May 2026, the Government adopted an ordinance amendment and published the list of occupations that are either exempt from the work permit requirement or subject to a lower income threshold. The new rules and the increased requirements will enter into force on 1 June 2026.
- ❖ **Repatriation:** In its 2025 budget proposal, the Swedish Government proposed a substantial increase in the voluntary repatriation for 2026, raising it to SEK 350,000 per person (with a maximum of SEK 600,000 per family). As of 29 January 2026, this corresponded to approximately EUR 33,121 per person (and EUR 56,778 per family). While the parliamentary committee acknowledged that high financial incentives could increase return rates, it also warned that such measures risk undermining integration efforts. Despite this, the Government proceeded with the proposal.

The option to apply for the grant was introduced on 1 January 2026. Eligibility is subject to several conditions, including that the applicant was granted an asylum-related residence permit on or before 12 September 2024 and intends to settle permanently in another country. The granting of the repatriation grant may result in the revocation of the individual's residence permit by the Swedish Migration Agency. In the event of a subsequent return to Sweden, the individual may become liable to repay the grant.

Temporary protection

For further information, see [Annex on Temporary Protection](#).

- ❖ The Temporary Protection Directive has been transposed into Swedish law and can be found in Ch. 21 of the Aliens Act.
- ❖ **Key temporary protection statistics:** In 2025, the Swedish Migration Agency registered 9,674 first time applications for temporary protection. In comparison, the Swedish Migration Agency registered

10,646 applications in 2024. Of those applications, 9,623 were Ukrainian nationals. The remaining applications came from third country nationals from more than 20 different countries, the second largest nationality being Russian with 12 applicants. The Swedish Migration Agency took decisions in 9,888 first time applications, and of those examined on the merits (9,349), 9,172 (98%) were granted a residence permit and 149 applications were rejected.

Temporary protection procedure

- ❖ **Asylum and expulsion enforcement:** In its judgment of 20 November 2025 in Case C-195/25 (Framholm), the Court of Justice of the European Union held that the Temporary Protection Directive, read in conjunction with the Qualification Directive and the Asylum Procedures Directive, precludes Member States from rejecting an application for subsidiary protection solely on the ground that the applicant has been granted temporary protection.

Following this judgment, the Swedish Migration Agency issued an updated legal position in December 2025, confirming that individuals granted temporary protection may apply for and have their claims for both refugee status and subsidiary protection examined. Where such status is granted, the temporary protection permit must be withdrawn and replaced by a residence permit based on international protection.

In 2025, the Swedish Migration Agency took decisions on 304 asylum applications from Ukrainian nationals. Out of those examined on the merits, 17 applications (11 %) were granted residence permit.

- ❖ **Scope of temporary protection:** In December 2023, the Government decided to extend the personal scope of temporary protection to include all persons legally staying in Sweden before 22 December 2023, if they belong to the categories of persons mentioned in article 2.1 of the Council implementing decision (EU) 2022/382 of 4 March 2022. Thereby, Ukrainian nationals who applied for asylum prior to 30 October 2021 and have thereafter been staying legally in Sweden are also included in the personal scope of the temporary protection. In 2025, no legislative adjustments were made regarding the personal scope of the temporary protection.
- ❖ Provisions on temporary protection take precedence over other grounds for residence permits. Consequently, individuals who qualify both for temporary protection and for a residence permit based on family ties are, as a rule, granted a permit under temporary protection rather than family reunification. In 2025, the Swedish Migration Agency adjusted its position, stating that persons previously granted temporary protection may, in exceptional circumstances, apply for and be granted family reunification while remaining in Sweden. As a general rule, however, applications based on family ties must be submitted from outside Sweden.

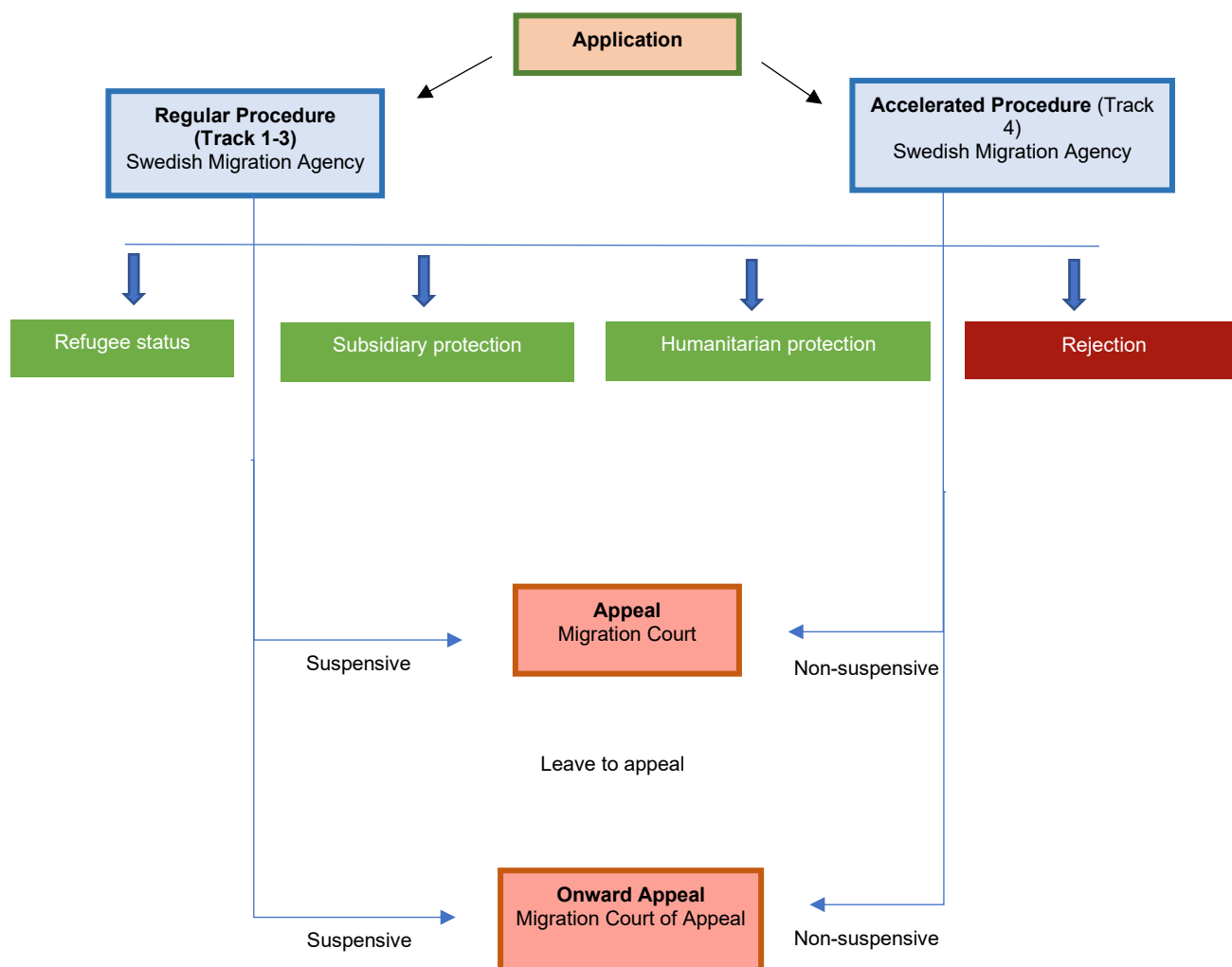
Content of temporary protection

- ❖ **Financial support:** Temporary protection holders are provided with financial support at the same low level as asylum-seekers, which has not been increased since 1994. They are also only entitled to healthcare that cannot be postponed, which is the limited extent to which asylum seekers have the right to healthcare (see [Reception Conditions – Healthcare](#)). In 2024, it became possible for some holders of temporary protection permits to register as residents in Sweden, giving them the full rights of other holders of residence permits in Sweden who are registered as residents. Earlier in 2024, the Swedish Government prepared a new law giving temporary protection permit holders the possibility to register as residents after one year with a temporary protection permit in Sweden. This proposal came into force on 1 November 2024. However, the social rights of persons who registered as residents after this date are restricted and are given less rights than those who registered as residents before the new law (see [Temporary Protection Annex](#)).

Asylum Procedure

A. General

1. Flow chart



The decision gains legal force on the date of issuance of the decision or judgment from the Migration Court of Appeal. If the decision is not appealed to the Migration Court of Appeal, it gains legal force three weeks after the applicant was notified of the last instance decision or judgment. A decision is statute-barred five years after the date on which it gains legal force; however, the limitation period does not begin to run until the individual has left Sweden in accordance with the decision. This means that return decisions never become statute-barred for individuals who remain in the country. Previously, return decisions in Sweden were always subject to a limitation period of four years, so the current system represents a change from that regime. The bill modifying this entered into force on 1 April 2025 and does not include any transitional provisions, which means that the amendment also applies to return decisions issued prior to 1 April 2025. ([Preskription av avlägsnandebeslut och vissa frågor om återreseförbud](#), Prop. 2024/25:92).

2. Types of procedures

Indicators: Types of Procedures

Which types of procedures exist in your country?

- | | | |
|--|---|--|
| ❖ Regular procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ▪ Prioritised examination: ¹⁸ | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ▪ Fast-track processing: ¹⁹ | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Dublin procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Admissibility procedure: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Border procedure: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| ❖ Accelerated procedure: ²⁰ | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Other: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Are any of the procedures that are foreseen in the law, not being applied in practice? Yes No

3. List of authorities intervening in each stage of the procedure

Stage of the procedure	Competent authority (EN)	Competent authority (SE)
Application on the territory	Swedish Migration Agency	Migrationsverket
Dublin (responsibility assessment)	Swedish Migration Agency	Migrationsverket
Refugee status determination	Swedish Migration Agency	Migrationsverket
First appeal	Migration Court	Förvaltningsrätten i Luleå, Stockholm, Göteborg och Malmö (Migrationsdomstolen)
Second (onward) appeal	Migration Court of Appeal	Kammarrätten i Stockholm, Migrationsöverdomstolen
Subsequent application (admissibility)	Swedish Migration Agency	Migrationsverket
Revocation / Withdrawal	Swedish Migration Agency	Migrationsverket

The Swedish Security Service also has the authority to intervene and initiate a procedure stipulated in the Act concerning Special Controls of Certain Aliens²¹ at all stages of the procedure in cases raising issues of national security, or when individuals can be assumed to participate in or commit crimes stipulated in The Terrorist Offences Act. They can intervene in cases regarding residence permits, refugee status determination and travel documents.

¹⁸ For applications likely to be well-founded or made by vulnerable applicants.

¹⁹ Accelerating the processing of specific caseloads as part of the regular procedure, without reducing procedural guarantees.

²⁰ Entailing lower procedural safeguards, whether labelled as “accelerated procedure” in national law or not.

²¹ Act concerning Special Controls of Certain Aliens (2022:700), available in Swedish [here](#).

4. Determining authority

Name in English	Number of staff on average in 2025	Ministry responsible	Is there any political interference possible by the responsible Minister with the decision-making in individual cases by the determining authority?
Swedish Migration Agency	6,054	Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Source: Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).

Swedish administrative system

The administrative system in Sweden differs from most other European countries in terms of division of tasks. All Government decisions in Sweden are collective and all public agencies are subordinate to – but independent from – the Government. Unlike in other countries, Swedish Secretaries of State, or Ministers, have limited discretion to take independent decisions. All Government decisions are taken jointly by the Government. Different Secretaries of State are responsible for different areas and may also act as heads of ministries. Some tasks performed by ministries in other countries are performed by civil service departments in Sweden, which are overseen by a ministry.

As a general rule, the Ministry of Justice and other Government offices cannot intervene in individual cases concerning applicants for international protection. However, in cases concerning serious threats to national security, the Act concerning Special Controls of Certain Aliens may be used.²² The Act entered into force on 1 July 2022 and replaced the previous Act concerning Special Controls in Respect of Aliens (1991:572). According to Chapter 1, Section 2, the Act concerning Special Controls of Certain Aliens becomes applicable upon request of the Swedish Security Service. An expulsion decision is, however, according to Chapter 2, Section 1, always issued by the Swedish Migration Agency at first instance. According to Chapter 7, Section 1 of the Act, the Swedish Migration Agency's decision can be appealed to the Government.

According to Chapter 7, Section 14 of the Act concerning Special Controls of Certain Aliens, an appeal of an expulsion decision issued by the Migration Agency shall be handed over to the Migration Court of Appeal, who shall submit an opinion whether there are impediments to enforce an expulsion in accordance with Chapter 12 Section 1-3a of the Swedish Alien's Act [*non-refoulement*], and thereafter hand the case over to the Government for a final decision. If the Migration Court of Appeal considers that there are such impediments, the Government cannot deviate from that assessment (Chapter 7, Section 15). If the Swedish Migration Agency has decided in a case on both expulsion and regarding an application for protection status, an appeal shall, according to Chapter 7, Section 16 of the Act, instead follow the appeals procedure set out in the Aliens Act. However, this is not the case if the Security Services also appeals the Swedish Migration Agency's decision.

The Government made six decisions under the Act concerning Special Controls in Respect of Aliens between 1 July 2024 and 30 June 2025, the same number as in the previous corresponding period. One of the decisions concerned a rejection of an appeal against the Swedish Migration Agency's decision to revoke a stay of enforcement, and another concerned the revocation of a stay of enforcement at the request of the Swedish Security Service. Three of the decisions were rejections of the individual's request

²² Act concerning Special Controls of Certain Aliens (2022:700), available in Swedish [here](#).

for reconsideration of deportation orders, and the sixth concerned the rejection of the individual's request for revocation of a deportation order.²³

Swedish Migration Agency

The Swedish Migration Agency is the central administrative authority in the area of asylum. It is responsible for examining applications for international protection and competent to take decisions at first instance. It further takes decisions on work permits, family reunification, adoption, studies, and citizenship and is also responsible for operating detention centres.

The Swedish Migration Agency is subordinate to the Government as a whole and reports to the Ministry of Justice, with which it cooperates at various levels, such as information exchange, planning and expression of needs. The Government also regulates the direction and priorities of the Swedish Migration Agency. Each year, the Swedish Migration Agency receives an appropriation direction from the Government. The appropriation direction governs the agency's activities for the year and sets out, among other things, the objectives of the activities, the budget, and how the budget is to be allocated.²⁴ According to Swedish legislation, the Swedish Migration Agency, as is the case with all authorities, is fully independent from the Government as well as the Parliament in relation to individual decisions and the Government is prohibited from influencing its decisions.²⁵ This also applies to the Agency's policy on different topics. The Swedish Migration Agency coordinates and divides tasks between the divisions of Asylum, Managed Migration and Citizenship, thereby upholding due process and ensuring effective case management in line with Sweden's Aliens Act and Citizenship Act. The Swedish Migration Agency is also responsible for third country nationals without residence permits, i.e., until they obtain a permit and have settled in a municipality. Legal provisions pertaining to the Swedish Migration Agency are found primarily in the Aliens Act and the Ordinance with Instructions for the Swedish Migration Agency.

The Swedish Migration Agency is headed by a Director General, who is appointed by the Government. The Director General is responsible before the Government for the Agency, its operations and its results. The Director General is generally not involved in individual decision making but can have an influence on policies. In 2023, Maria Mindhammar was appointed Director General (with no change in 2025). The Swedish Migration Agency's head office consists of the Senior Management, the Director General's staff and departments supporting the operational activities. This includes the Digitalisation and Development Department, the Planning Department, the Legal Affairs Department, the Communications Department, the Human Resources Department, and the Security Department.²⁶ The head office is located in Norrköping.

Stand-alone functions are internal audit, internal investigations and the agency's EU fund management, which all report directly to the Director General. There is also a dedicated unit for [Dublin procedures](#) and a separate country of origin unit (LIFOS). LIFOS produces reports and conducts missions to certain countries in order to assess and analyse the political situation in a particular country or region. The Swedish Migration Agency has access to a variety of country of origin information reports issued by other countries and organisations which is published on its country of origin and case law database (also named LIFOS).²⁷ It is the caseworkers' duty to regularly update themselves on relevant country of origin information. Caseworkers are generally required to hold a degree in law and/or political science to be working on asylum-related matters. Regarding other training of staff, some specialised training is offered for caseworkers who interview children, based on the EUAA Training Curriculum (ETC) module

²³ See: Government, Skrivelse från Justitiedepartementet, Skr. 2025/26:74, 2025 års redogörelse för tillämpningen av lagen om särskild kontroll av vissa utläningar, available in Swedish [here](#).

²⁴ The latest appropriation direction from the Government may be found [here](#). See also The Migration Agency, 'Laws and regulations', available [here](#).

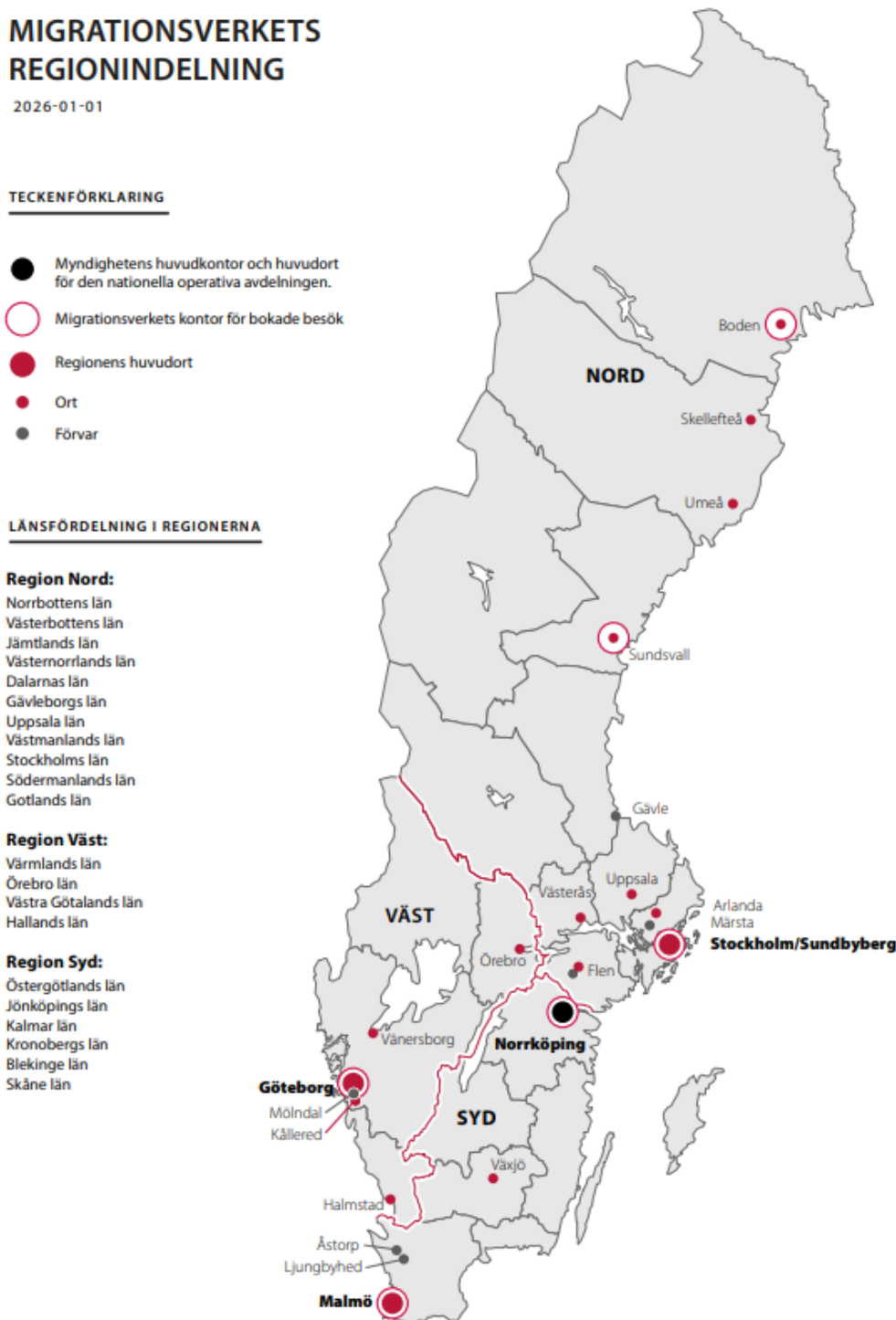
²⁵ Instrument of Government, Chapter 12, Section 2, available in Swedish [here](#).

²⁶ The Swedish Migration Agency, 'Our organisation', available [here](#).

²⁷ The database is available [here](#).

'Interviewing Children'.²⁸ Also, webinars were developed for case officers and other employees at the Swedish Migration Agency, which are available after the live transmission. The "focus country pages" on the LIFOS website were also enhanced by including recommended reading on various topics and main countries of origin.²⁹

The Migration Agency's regional division:³⁰



²⁸ The Swedish Migration Agency, *Tematisk kvalitetsuppföljning avseende asylsökande barn i familj*, Dnr: 1.3.4-2022-26331, December 2022.

²⁹ EUAA, *Asylum Report 2022: Annual Report on the Situation of Asylum in the European Union*, June 2022, available [here](#).

³⁰ Geographical overview of Migration Agency's regional divisions, available in Swedish at Migration Agency website available [here](#).

Quality control and assurance within the Swedish Migration Agency

According to the Agency's Instructions,³¹ the Swedish Migration Agency shall ensure predictable and consistent decision-making of high legal quality. According to the Agency's definition of high legal quality,³² this requires that decisions are formally and substantively correct, that the application of the law is consistent, and that case processing is carried out in accordance with applicable legislation and based on the individual circumstances of the applicant. In 2025, the Swedish Migration Agency introduced a new method for systematic national quality monitoring to assess the legal quality and consistency of asylum decision-making. Responsibility for national quality monitoring is now centralized, with the Legal Affairs Department coordinating the work and ensuring that monitoring is conducted on a regular basis, in collaboration with the Planning Department and the regional offices. The new method combines quantitative and qualitative analyses and compares outcomes across regions and applicant groups in order to identify differences in consistency. The first review, conducted in autumn 2025, covered approximately 800 first-time asylum decisions on protection grounds from 2024–2025, including both positive and negative decisions.

Staffing within the Migration Agency

The Swedish Migration Agency had an average of 6,054 employees in the year 2025.³³ Out of the total number of employees in 2025, 240 were working as case officers and 131 as decision makers in asylum cases.³⁴

The Swedish Migration Agency have an obligation to report suspected war crimes. In 2020, the Agency reported 86 suspected war crimes to the police, and 74 in 2021. In 2022 the Agency reported 37 cases of suspected war crimes.³⁵ In 2023, the Agency reported 48 cases.³⁶ In 2024 the number of reported cases was 67.³⁷ In 2025 the Agency reported 69 cases.³⁸ To the authors' knowledge, no such reports have led to an indictment (yet). It is not possible to know how many criminal investigations on the basis of these reports are ongoing as they are confidential until the indictment.

5. Short overview of the asylum procedure

During the processing and examination of applications for international protection, asylum seekers are covered by the 1994 Reception of Asylum Seekers and Others Act, which is applied by the Swedish Migration Agency.

First instance procedure: Asylum applications can only be made at designated offices of the Swedish Migration Agency, to which applicants at the airport and port are referred. There is no difference in law between making, lodging, and registering an application. The Swedish Migration Agency states that the protection process consists of three parts: (1) initial, (2) appeal and (3) enforcement processes. It runs from the application for asylum to the decision being enforced either by settlement or return.

³¹ Ordinance (2019:502) with Instructions for the Swedish Migration Agency, available in Swedish [here](#).
³² Swedish Migration Agency, RA/018/2021, available upon request from the Swedish Migration Agency via email
³³ Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).
³⁴ Information provided by the Swedish Migration Agency by the statistics unit via email in January 2025.
³⁵ Swedish Migration Agency, *Annual Report 2022*, Dnr: 1.3.2-2022-2199, available in Swedish [here](#).
³⁶ Swedish Migration Agency, 'Annual Report 2023', Dnr: 1.3.2-2024-2238, page 110, 22 February 2024, available in Swedish [here](#).
³⁷ Swedish Migration Agency, *Annual Report 2024*, Dnr: 1.3.2-2025-1844, p, 106, 21 February 2025, available in Swedish at: [Årsredovisning 2024](#).
³⁸ Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).

Since 2016, cases are screened and sorted in different tracks based on their specific profile during the initial process.³⁹ Manifestly unfounded applications, Dublin cases and applications from nationalities which have a high rate of refusal will go directly to the units that can quickly handle these cases. As a guideline, a case is considered to have a high rate of refusal if it has a rejection percentage of 85%, based on a sample of at least 10 cases over the past 12 months. However, this does not provide an exhaustive list.⁴⁰ Other cases are forwarded to the Distribution Unit. The different tracks provide guidance on how extensive an investigation should be in an individual case and thus create an efficient flow. A steady flow of cases during the determination process is assured when units request cases from the Distribution Unit. Accommodation is offered based on the nature of a case and the goal is to avoid unnecessary secondary movements. Consideration is given to individual needs. All information and case handling measures under the protection assessment are adapted to the track concerned.

- Track 1** Presumed positive outcome
Cases where there is a presumption that the case will be successful are handled within track 1. The aim is to create preconditions for rapid settlement for persons who are likely to be allowed to stay in Sweden.
- Track 2** Presumed negative outcome
Cases where there is no presumption of approval are handled within track 2. The aim of track 2 is to deal with cases where the outcome of the case is unclear.
- Track 3** Delayed case processing
Cases where the handling time is believed to extend more than 6 months because of the complexities of the case are handled within track 3. The aim of category 3 is to deal with cases with delayed processing.
- Track 4A** Accelerated Procedure
When there is a presumption that an application will be refused and an expulsion will take place with immediate effect, or where the applicant is an EU citizen, the case will be sorted under track 4A. The purpose of Track 4A is for persons with no asylum grounds to stay as short time as possible in the reception system.
- Track 4B** In track 4B cases are categorised based on an applicant coming from a country with a high rejection rate and where a rapid assessment procedure and return is possible. The purpose of track 4B is for persons in this category to remain as short a time as possible in the reception system.
- Track 5A** Cases to be dealt with under the Dublin Regulation.
- Track 5B** Cases which can be refused because the applicant has been granted protection in another EU Member State or in Norway, Switzerland, Iceland or Liechtenstein.
- Track 5C** Cases where an applicant can be refused because protection status has been granted in another country which is neither an EU Member State nor Norway, Switzerland, Iceland or Liechtenstein. This track is also used for cases where the applicant can be sent to a safe third country.

³⁹ Swedish Migration Agency, *Rutin: Spårindela ärendet*. Information in Swedish available upon request to migrationsverket@migrationsverket.se.

⁴⁰ The Swedish Migration Agency, VÄGLEDNING Lista över länder och lägsta id-kategorisering för sortering i spår 4B Dnr: 1.2.2.2-2024-6176, 7 May 2021, revised 22 April 2024.

The Swedish Migration Agency is responsible for examining all asylum claims at first instance but also for assessing subsequent applications concerning cases that have already been fully processed and where there is a legally enforceable removal order. In such cases, the Swedish Migration Agency determines whether new circumstances should lead to a residence permit or a re-examination of the case.⁴¹

Free legal aid is granted in asylum cases, a legal counsel is appointed unless it must be assumed that there is no need for assistance.⁴² In cases where an unaccompanied minor has applied for asylum a legal counsel must be appointed.⁴³ Interpreters are available at all stages of the procedure. There is always an oral interview at the Swedish Migration Agency, whereas at the Migration Court and the Court of Appeal level an oral hearing is not mandatory but can take place if it facilitates decision-making or is deemed necessary in accordance with current practice as determined by the Migration Court of Appeal. The applicant can request an oral interview at the court. If an oral interview is requested it should be granted unless the hearing is deemed unnecessary or if there are any special reasons against it.⁴⁴ In cases where the Swedish Migration Agency has denied an application for international protection with reference to the reliability of the provided information or the applicant's credibility, there is very little room for the Migration Court to deny the applicant an oral hearing, if this has been requested.⁴⁵

In **Dublin procedures**, the right to legal counsel is acknowledged at first instance for unaccompanied minors; other applicants have a right to legal assistance if exceptional grounds prevail. Such an exceptional situation could be established where the reception conditions in the receiving country are known to be poor and the principles in the European Court of Human Rights (ECtHR)'s rulings in *M.S.S. v. Belgium and Greece* and *Tarakhel v. Switzerland* apply.⁴⁶ At the appeal stage, a request for legal assistance can be made but will not automatically be approved, especially if the court deems that the appeal is unlikely to be successful.⁴⁷ However, appeals against decisions in the Dublin procedure have suspensive effect.

Some NGOs offer limited legal assistance in Dublin cases. Assistance can be provided in making appeals which are submitted in the name of the applicant. Asylum seekers are also informed by some NGOs on the right to lodge appeals themselves and make submissions in their own language.

Appeal: There are two levels of appeal. A first appeal is submitted before the Migration Court, and an onward appeal before the Migration Court of Appeal. First instance decisions must be appealed within 3 weeks, whether under the regular or the accelerated procedure. When a first instance decision is appealed, the appeal is first reconsidered by the Swedish Migration Agency. The Agency has the discretion to either change its earlier decision or confirm the rejection. In the latter case, the appeal is forwarded by the Agency, sometimes with comments, to the Migration Court within a week.

The appeal before the Migration Court has suspensive effect, except for appeals lodged against decisions rejecting a "manifestly unfounded" application in the accelerated procedure under "Track 4". In such cases, suspensive effect must be requested by the appellant. The Migration Court sits with only one judge in simpler cases but for other cases the judge is joined by three lay judges.⁴⁸ The lay judges are selected from among their members by the parliamentary parties sitting in the county council of the region where the court is located. They have no special legal training and represent the general public. They have

⁴¹ Chapter 12, Section 18 and 19 Aliens Act.

⁴² Chapter 18, Section 1 Aliens Act.

⁴³ Chapter 18, Section 1 Aliens Act.

⁴⁴ Chapter 16, Section 5 Aliens Act.

⁴⁵ Migration Court of Appeal, Decision MIG 2009:30, UM7867-08, 9 November 2009, available in Swedish [here](#), and Migration Court of Appeal, Decision MIG 2017:9, UM 7143-16, 12 April 2017, available in Swedish [here](#).

⁴⁶ ECtHR, *M.S.S. v. Belgium and Greece*, Application No 30696/09, Judgment of 21 January 2011, available [here](#), ECtHR, *Tarakhel v. Switzerland*, Application No 29217/12, Judgment of 4 November 2014, available [here](#).

⁴⁷ Migration Court of Appeal, [UM 5998-14](#) and [UM 3055-14](#), 19 December 2014.

⁴⁸ Migration Court of Appeal, Decision MIG 2007:22, 23 May 2007, available [here](#).

varying backgrounds from many different sectors. They sit for four years. If there is a tied vote it is the opinion of the legally trained judge that decides the outcome.

The appeal process is a written procedure. The applicant has the right to request an oral hearing, but this is only granted if it is deemed beneficial for the investigation or if it would result in a rapid determination of the case. If new grounds for seeking protection are presented for the first time at court level, the court may refer the case back to the Swedish Migration Agency for reconsideration. This is because applicants have the right to have their protection grounds assessed at two separate instances.

In 2025, the Migration Courts in total overturned decisions of the Swedish Migration Agency in 6% of regular asylum cases.⁴⁹ In 2024 and 2023, 5 % of the cases were overturned. It may in turn be compared to 2022, when the Migration Courts overturned decisions of the Migration Agency in 6% of cases.⁵⁰

The applicant or the Swedish Migration Agency have three weeks from the date they receive the court's decision to request leave to appeal to the Migration Court of Appeal. Leave to appeal is granted if "it is of importance for the guidance of the application of the law that the appeal is examined by the Migration Court of Appeal or if there are exceptional grounds for examining the appeal."⁵¹ Such exceptional reasons can exist where the Swedish Migration Agency has made a serious procedural error. Automatic free legal aid is provided for making an application for leave to appeal. If leave is granted, further legal aid is provided.

The Migration Court of Appeal is the main national source of legal precedents in the Swedish asylum system. Decisions by the Migration Courts are not deemed to have any special precedent-creating status, even though they may contain important legal reasoning. However, since only the Migration Court in **Stockholm** deals with Dublin appeals, its position on returns to certain EU countries where there are grounds to believe that due process cannot be ensured can entail a temporary halt in returns until a decision has been made by the Migration Court of Appeal on the matter.

The Migration Court of Appeal can exceptionally hold an oral hearing but in most cases, there is only a written procedure. There are no lay judges at the Migration Court of Appeal.

Decisions of the Migration Court of Appeal are final and non-appealable. When the Migration Court of Appeal hands down its decision, the expulsion order is enforceable, and the rejected applicant is expected to leave Sweden voluntarily within four weeks (two weeks for manifestly unfounded claims). In certain circumstances, including cases concerning national security, such time limit can be even shorter or not be given at all.⁵²

In national security cases, the Swedish Migration Agency is the first instance body, and the Migration Court of Appeal provides views on the appeal, but the Government is legally responsible for the final decision. However, if the Migration Court of Appeal determines that upon return there is a risk of torture or other breaches of Article 3 of the European Convention on Human Rights (ECHR), which has been incorporated into Swedish law, the Government must abide by this opinion.⁵³

On 14 February 2020, the Migration Court of Appeal ruled in case MIG 2020:3 that a person could not be granted refugee status if the person is not present in Sweden. The case concerned an asylum seeker whose asylum application was rejected by the Swedish Migration Agency. The asylum seeker appealed the decision but then left Sweden before the case was decided.⁵⁴

⁴⁹ The Swedish Migration Agency, Monthly Report – December 2025, Dnr: 1.1.1.2-2024-17693.

⁵⁰ The Swedish Migration Agency, Monthly Report – December 2024, Dnr: 1.1.1.2-2024-1660 and 2023, Dnr: 1.1.1.2-2023-1728.

⁵¹ Chapter 16, Section 12 Aliens Act.

⁵² Chapter 8, Section 21 Aliens Act.

⁵³ Chapter 2, Section 2 Lag (2022:700) om särskild kontroll av vissa utlänningar.

⁵⁴ Migration Court of Appeal, Decision MIG 2020:3, 14 February 2020, available at: <http://bit.ly/3HEv125>.

B. Access to the territory and registration

1. Access to the territory and push backs

Indicators: Access to the Territory

1. Are there any reports (NGO reports, media, testimonies, etc.) of people refused entry at the border and returned without examination of their protection needs? Yes No
2. Is there a border monitoring system in place? Yes No
3. Who is responsible for border monitoring? National authorities NGOs Other
4. How often is border monitoring carried out? Frequently Rarely Never

EU rules foresee that countries in the passport-free Schengen zone can only establish temporary border controls under exceptional circumstances. In December 2015, Sweden introduced internal border controls. The 2018 AIDA report provides a historical background and legal aspects on the border controls.

Despite the fact that the reintroduction of border control at the internal borders must be applied as a last resort measure, in exceptional situations, and must respect the principle of proportionality, Sweden has regularly re-introduced border controls at its internal borders in recent years. The current temporary border control is valid up until 11 May 2026.⁵⁵ The decision to uphold border control is based on the Government's assessment that there is a serious security situation that still prevails, which is partly rooted in the situation of serious cross-border crime linked to state actors and terrorism. According to the Government, given the current situation, the internal border controls is an important measure that enables the identification of people entering Sweden who pose a security threat or a serious threat to public order and internal security.

While Sweden has not introduced any measures directly affecting the right to seek asylum, the Swedish Parliament has passed a new law, effective from 1 March 2024, granting the Government the authority to impose temporary bans on transporting individuals without valid identification documents to Sweden via bus, train, or passenger ship. This measure aims to address situations where, due to events in the migration area, there is a serious threat to public order or internal security in the country. Additionally, the Government can establish sanction fees ranging from 30,000 to 250,000 SEK (approximately EUR 2,500 to 21,000) for transport companies that violate such prohibitions.⁵⁶

1.1. Border monitoring

There is currently no border monitoring system in place in Sweden, however this will be introduced in June 2026 due to the new EU Pact on Migration and Asylum.

1.2. Legal access to the territory

Sweden does not have any provisions for granting a visa for the purpose of applying for international protection upon arrival.

The Swedish Migration Agency resettled 861 refugees in 2025.⁵⁷ This should be compared to 959 refugees in 2024, 297 refugees in 2023, 3,744 refugees in 2022, 6,411 refugees in 2021, and 3,599

⁵⁵ Government Offices of Sweden, 'Continued need for temporary internal border controls', 30 October 2025, available [here](#).

⁵⁶ The law is accessible in full [here](#) (in Swedish).

⁵⁷ The Swedish Migration Agency, monthly report December 2025, page 16.

refugees in 2020. The annual quota was lowered from 5,000 to 900 in 2023.⁵⁸ The focus of the selections is determined by the Swedish Government but the Swedish Migration Agency, in collaboration with UNHCR, determines which refugee groups will be considered for resettlement from different countries.⁵⁹ In 2023, in addition to lowering the number of quota refugees, the Government introduced new integration criteria that should be taken into account in the assessment. Among other things, entrepreneurial spirit, skills, education and work experience and values important for integration into Swedish society may be taken into account.⁶⁰

Sweden does not have any relocation operations in place.

2. Preliminary checks of third country nationals upon arrival

Indicators: Preliminary checks at the arrival point

1. Are there any checks that are applied systematically or regularly at the point of entry when a person enters the territory? Yes No
2. Is the person considered under law to have entered the territory during these checks? Yes No

Swedish legislation includes provisions for preliminary checks at the point of entry. These checks apply to all third-country nationals regardless of whether they intend to apply for asylum. The categories include individuals entering irregularly and persons not meeting Schengen Borders Code requirements, such as valid travel documents or visas.⁶¹

Preliminary checks involve identity verification and security checks. The police officer will be validating passports or travel documents and screen through databases such as Schengen Information System and Interpol. In connection with entry control according to the Schengen Borders Code, a police officer may physically search a foreigner and examine his or her luggage, hand luggage, handbags and the like, to the extent necessary to find out the foreigner's identity. Such investigations may also be carried out to find out a third country national's journey to Sweden, if it is of importance for the assessment of the right to enter and stay in this country. In connection with the entry control, a police officer may also examine luggage compartments and other closed spaces in cars and other means of transport with the aim of preventing a third country national from entering Sweden in violation of the provisions of the Schengen Borders Code. When the entry control is handled by specially appointed passport controllers, customs officers or officers at the Coast Guard, they have the same powers as a police officer.

Body searches may not be carried out in more detail than is required with regard to the purpose of the measure. All the considerations that the circumstances allow must be observed. If possible, a witness should be present.⁶²

The Swedish Police Authority is responsible for identity, security, and document checks.

There is no explicit maximum time limit in Swedish law by which the checks must be completed. However, checks are conducted promptly to minimize delays and comply with the right to apply for asylum under international and EU law.

⁵⁸ Government of Sweden, 'Regeringens första 100 dagar: Migration', 24 January 2023, available in Swedish [here](#).

⁵⁹ More information about the Swedish resettlement programme may be found in Swedish [here](#).

⁶⁰ Information available in Swedish [here](#).

⁶¹ Chapter 8 Section 2 Aliens Act.

⁶² Chapter 9, Section 2 and 8 Aliens Act.

Preliminary checks are conducted under various conditions depending on the point of entry. At sea borders, checks are conducted before passengers disembark from ships, while at air borders, they are typically carried out at international airports prior to passport control.

Preliminary checks may entail restrictions on freedom of movement or detention. For example, individuals without valid documentation may be held in transit zones or temporarily detained during identity and security checks.⁶³

The outcomes of preliminary checks include granting entry if all conditions are met, refusal of entry if requirements are not fulfilled, referral to asylum procedures for those expressing an intention to apply for asylum, or detention under specific conditions pending further investigation.⁶⁴

The Swedish police authority's decision on rejection may be appealed to the Swedish Migration Agency. However, if the Swedish Police Authority's decision on rejection has been made in connection with a decision to suspend or revoke a Schengen visa, the rejection decision is appealed to a migration court.⁶⁵

Third-country nationals may apply for asylum during preliminary checks. When an individual expresses an intention to seek asylum, authorities must promptly register the application and refer the person to the Swedish Migration Agency. Preliminary checks may continue alongside the asylum process to verify identity and ensure security.

3. Registration of the asylum application

Indicators: Registration

3. Are specific time limits laid down in law for making an application? Yes No
❖ If so, what is the time limit for lodging an application?
4. Are specific time limits laid down in law for lodging an application? Yes No
❖ If so, what is the time limit for lodging an application?
5. Are registration and lodging distinct stages in the law or in practice? Yes No
6. Is the authority with which the application is lodged also the authority responsible for its examination? Yes No
7. Can an application for international protection be lodged at embassies, consulates or other external representations? Yes No

There is no difference made in law between making an application, registering it and lodging it.

The Swedish Migration Agency is the only authority responsible for registering an asylum application. Asylum applications can be made at designated offices of the Swedish Migration Agency in Stockholm (**Sundbyberg**), **Gothenburg** and **Malmö**. Unaccompanied minors may apply for asylum in **Boden**, **Gothenburg**, **Malmö**, Stockholm (**Sundbyberg**), **Sundsvall** and **Umeå**. If a person seeks asylum at an airport or port, they are referred to the Swedish Migration Agency.

In 2025, 6,735 applications for international protection were lodged in Sweden. This marks a decrease of 30 % compared to 2024, when 9,645 applications were lodged (which in turn was a 23% decrease from 2023, when 12,498 applications were lodged). Applications have declined steadily since 2022, and the

⁶³ Chapter 10 Aliens Act

⁶⁴ Chapter 8 Aliens Act

⁶⁵ Chapter 14, Section 2 Aliens Act.

total decrease between 2022 and 2025 amounts to 60%.⁶⁶ The majority of the 9,645 applications lodged were in **Stockholm** (3,381), in **Gothenburg** (1,276) and in **Malmö** (1,223).⁶⁷

Applications lodged by location: 2025	
Locations ⁶⁸	Number of applicants
Arlanda	678
Boden	29
Flen	2
Gävle	1
Gothenburg	1,276
Halmstad	1
Malmö	1,223
Märsta	1
Norrköping	3
Skellefteå	2
Stockholm	3,381
Sundsvall	7
Umeå	2
Uppsala	12
Vänersborg	4
Västerås	8
Växjö	11
Åstorp	5
Örebro	1
Other	88
Total	6,735

Source: Swedish Migration Agency, *Applications for asylum received 2025*, available [here](#).

The Swedish Migration Agency is also in charge of running the detention centres. The authors are not aware of difficulties with regard to persons in detention wishing to apply for asylum.

⁶⁶ The Swedish Migration Agency, Statistics from previous years, available in Swedish [here](#).

⁶⁷ The Swedish Migration Agency, *Applications for asylum received 2025*, available in Swedish [here](#).

⁶⁸ Based on the information provided by the Migration Agency in March 2023, it appears that the discrepancies between the number of designated offices and the locations mentioned here are due to the possibility for parents/guardian to register their new-born children at these other locations, without having to present themselves at official designated office.

There are no specific time limits laid down in law within which a claim must be made. In reality, however, if a late claim is made, the applicant must put forward reasons for the delay during the asylum interview, and risks having their credibility called into question for not having sought protection earlier.⁶⁹

There have been no problems reported for asylum seekers regarding the registration of their claims in practice in 2025.

Upon registration of their claim, asylum seekers receive a receipt that they have applied for asylum. After a couple of weeks, the receipt may be exchanged for a card that shows that they are asylum seekers in Sweden. This card is called an LMA card. It is not an ID document as such, but a certificate that asylum seekers can use to show that they are asylum seekers and that they may be in Sweden when their applications are being processed. The card also shows if the person has the right to work.⁷⁰

Unaccompanied minors may apply for asylum on their own behalf; however, the application needs to be validated by their public counsel or their legally appointed guardian. The applications of accompanied minors will be validated by their parents.⁷¹ The children's grounds for protection should however be assessed individually.

C. Procedures

Since 2016, the Swedish Migration Agency implements a “tracks” policy whereby asylum seekers are channelled into a specific procedure depending on the circumstances of their case. Beyond the regular asylum procedure (“Tracks 1 and 2”), the policy foresees specific tracks for manifestly unfounded cases (“Track 4A”) or cases coming from low-recognition-rate countries (“Track 4B”), Dublin cases (“Track 5A”) and inadmissibility cases (“Track 5B” and “Track 5C”).

Applications for international protection by track		
	2024	2025
Track 1 – Presumed positive outcome	903	554
Track 2 – Presumed negative outcome	5,616	3,831
Track 3 – Delayed case processing	6	25
Track 4A – Accelerated procedure	248	113
Track 4B – Safe country origin	707	430
Track 5A – Dublin procedure	905	746
Track 5B and 5C – Admissibility procedure	176	159
“Unknown”	1,085	879
Total	9,646	*6,737

Source: Information provided by the Swedish Migration Agency in January 2026.

⁶⁹ See for an example the reasoning from the Migration Agency in the case labelled Migrationsverket 2020-05-07, beslut 3, in a 2023 report from The Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex Rights: Avslagsmotiveringar i HBTQI-asylärenden 2023, available in Swedish [here](#), 50.

⁷⁰ The Swedish Migration Agency, Asylum Seeker card (LMA card), available [here](#).

⁷¹ There is no exception in the Aliens Act from the main rule in Swedish law, that a child (under the age of 18) lacks legal authority. A child must therefore be represented by a legally authorized representative. For more information about this system and the problems connected to it, see for example the recent report by the committee appointed by the government to investigate the opportunities for children in Sweden to claim their rights according to the Convention on the Rights of the Child. Available in Swedish [here](#), pp 435-437.

While Sweden has transposed the recast Asylum Procedures Directive, it should be noted that these tracks do not fully follow the structure of the Directive in terms of regular procedure, prioritised procedure and accelerated procedure. The different sections below refer to the applicable track in each case.

1. Regular procedure (“Tracks 1 and 2”)

1.1. General (scope, time limits)

Indicators: Regular Procedure: General

1. Time limit set in law for the determining authority to make a decision on the asylum application at first instance: 6 months
2. Are detailed reasons for the rejection at first instance of an asylum application shared with the applicant in writing? Yes No
3. Backlog of pending cases at first instance as of 31 December 2025: 2,511
4. Average length of the first instance procedure in 2025: Track 1: 131 days
Track 2: 198 days

The legal provisions that regulate the regular asylum procedure at the national level are primarily governed by “Utlänningslagen” (Aliens Act), specifically its provisions related to asylum. Additionally, the “Förvaltningslagen” (Administrative Procedure Act) and the “Förvaltningsprocesslagen” (Administrative Court Procedure Act) play a role in outlining the procedures and legal framework for asylum cases.

In 2020, the length of the asylum procedure (i.e., for all tracks) increased to a total of 302 days, but decreased again to 256 days in 2021. For 2022, the number decreased to 166 days. In 2023, the average length increased to 195 days and 2024 saw a small decrease of the average length by 8 days. During 2025 the average length decreased by 7 days.

Average length of the asylum procedure: 2020-2025					
2020	2021	2022	2023	2024	2025
302 days – 10.1 months	256 days – 8.5 months	166 days – 5.5 months	195 days – 6.5 months	187 days – 6.2 months	180 days – 6 months

Source: The Swedish Migration Agency, Monthly Statistical Report December 2025, page 11.

In 2023, 690 out of a total of 8,969 asylum investigations were conducted by video,⁷² and during 2024, 430 out of 6,214 interviews were conducted by video. Out of 6,735 asylum investigations conducted in 2025, a total of 427 were conducted by video.⁷³ The Swedish Migration Agency aims for an asylum processing time of 6 months. During 2023, the Migration Agency started working with a scheduled process. Essentially, the approach entails minimizing the lead time, which is the time between various processing actions taken in the individual case. This means that the Swedish Migration Agency will schedule an investigation session with the applicant as soon as possible after the application. The goal is to conduct the asylum investigation within 5 to 14 working days from the application, but no later than within 4 weeks. Thereafter, the lawyer must submit a written submission, which must be received no later than 14 days after the asylum investigation has been completed. To meet the time prescribed by regulation, the asylum processing units may need to become more restrictive in granting extensions.⁷⁴

⁷² Information provided by the Swedish Migration Agency’s statistical unit in March 2023.

⁷² Information provided by the Swedish Migration Agency’s statistical unit in March 2024.

⁷³ Information provided by the Swedish Migration Agency’s statistical unit in Januari 2025.

⁷⁴ Information provided by the Swedish Migration Agency in May 2023.

In 2024, the Swedish Migration Agency decided on 9,645 first time applications on international protection and 21,354 prolongation decisions where renewal of a temporary protection permit was requested.⁷⁵ At the end of January 2024 there was a backlog of 5,409 cases and at the end of December 2024 this number had decreased to 3,685 cases.⁷⁶ There has been a downward trend in new asylum applications and the number of people arriving in Sweden to seek protection. The Swedish Migration Agency decided on 8,339 applications of international protection and 57,539 prolongation decisions (including decision in accordance with the Temporary Protection Directive) in 2025. The huge difference in applications is likely due to people from Ukraine having had to renew their resident permits in accordance with the Temporary Protection Directive (see [Annex on temporary protection](#)). At the end of January 2025 there was a backlog of 4,169 first time applications and at the end of 2025 this number had decreased to 2,511.⁷⁷

The time limit for the Swedish Migration Agency to take a decision on an asylum application is 6 months from the date the application is received. However, in exceptional circumstances, the time limit can be extended with up to an additional 9 months.⁷⁸ If the Swedish Migration Agency does not respect the time limit for a decision, the applicant can make a complaint to the Parliamentary Ombudsmen (JO), which could result in criticism of the Swedish Migration Agency. Additionally, the applicant has the option to request the Swedish Migration Agency to take a decision even after the time limit has expired. The Swedish Migration Agency can then either take a decision in the case or decide not to process it, in which case they must provide a justification for their decision. This decision can then be appealed to the Migration Court. The Migration Court can either uphold the decision or issue a ruling requiring the Swedish Migration Agency to process the case. This ruling can then be appealed to the Migration Court of Appeal. If the Swedish Migration Agency disregards the court's ruling, a complaint can be filed with the Parliamentary Ombudsman (JO).

1.2. Prioritised examination and fast-track processing (“Track 1”)

As outlined in the [Short overview of the asylum procedure](#), the Migration Agency introduced a tracks policy in 2016 for different types of caseloads. Track 1 concerns cases where:

- (a) There is a presumption that the claim will be successful;
- (b) There is no need to appoint a public counsel;
- (c) The identity of the claimant has been ascertained based on the documents submitted; and
- (d) No other major processing steps are needed other than an oral interview.

The purpose of the track is to create conditions for rapid settlement for individuals likely to be granted permission to stay in Sweden. There is a presumption for approval when the Swedish Migration Agency assesses that everyone coming from a specific country, a specific region, or everyone belonging to a certain group is generally in need of protection.⁷⁹

In 2023, a total of 1,192 cases were assigned to Track 1 and 1,322 decisions were taken. The Swedish Migration Agency had 444 cases still open at the end of the year.⁸⁰ During 2024, 903 cases were assigned to Track 1, 1,047 decisions were taken and 271 cases were still open at the end of the year.⁸¹ In 2025, there were 554 applications assigned to Track 1 and a total of 564 decisions were delivered during the year. At the end of the year, the Swedish Migration Agency had 203 cases still open.⁸²

⁷⁵ The Swedish Migration Agency annual report, Applications for asylum received 2024, which can be found [here](#).

⁷⁶ Information provided by the Swedish Migration Agency's statistical månadsrapport december 2024

⁷⁷ The Swedish Migration Agency, Monthly Statistical Report December 2025 (månrapport 2512), pages 9 and 13. Chapter 8, section 10, The Aliens Regulation.

⁷⁹ Information from the Migration Agency's routine document for categorizing cases into track.

⁸⁰ Information provided by the Swedish Migration Agency's statistical unit in January 2024.

⁸¹ Information provided by the Swedish Migration Agency's statistical unit in January 2025.

⁸² Information provided by the Swedish Migration Agency's statistical unit in January 2026.

1.3. Personal interview

Indicators: Regular Procedure: Personal Interview

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the regular procedure?
 Yes No
❖ If so, are interpreters available in practice, for interviews? Yes No
2. In the regular procedure, is the interview conducted by the authority responsible for taking the decision? Yes No
3. Are interviews conducted through video conferencing? Frequently Rarely Never
4. Can the asylum seeker request the interviewer and the interpreter to be of a specific gender?
 Yes No
❖ If so, is this applied in practice, for interviews? Yes No

Swedish legislation and regulations allow for a personal interview in all asylum cases.⁸³ All interviews, whether in the regular or accelerated procedure, are carried out by the authority that is responsible for taking decisions on the asylum applications. These are carried out by officers of the Swedish Migration Agency and are divided into two phases. A reception officer interviews the applicant regarding personal details, health, family and general background and can also request that any supporting documents be provided. The asylum case officer carries out an interview to establish the basis of the claim in the presence of a legal representative, an interpreter and the asylum seeker. These interviews are not held at the same time. The interview regarding the applicant's personal details such as health and general background usually takes place at the time of application.

All asylum seekers have the possibility to undergo a health screening, which the majority choose to do in practice.⁸⁴ This is particularly crucial for survivors of torture and traumatized individuals. However, due to confidentiality rules, this information is not automatically available to caseworkers. The legal counsel, however, can request access to this information from the health care with the applicant's permission.

As part of the mentioned routine, all Migration Agency staff are obligated to report vulnerabilities in an official note, which is then input into a common database. The note specifies at which stage in the procedure the vulnerability is observed and outlines the measures that have resulted from it. It is emphasised that a vulnerability assessment must always be conducted in the initial process.

Some special needs may not be registered in an official note, such as when the Swedish Migration Agency notifies the need for a guardian or informs a municipality that an unaccompanied child needs protection. Additionally, the Swedish Migration Agency's responses to applicants who have requested a case officer, interpreter, or public counsel of a specific gender may not be officially noted.

The interview regarding the grounds for asylum is held later in the presence of a legal representative. As a general rule, all family members are interviewed separately. Children have the right to have their asylum claims examined individually and not just as part of their parents' cases. The child has a right to be heard, but no obligation. In order for the Swedish Migration Agency to be able to hold an investigative interview with a child, the child must want to talk to the Swedish Migration Agency themselves. Children are asked if they want to talk to the case officer and if the child wants this to happen without the presence of the parents/legal guardians. It is also required that the parents/guardians have given their consent for the Swedish Migration Agency to talk to the child.

When the child's grounds for asylum are investigated, the Swedish Migration Agency's caseworkers should, as much as possible, tailor the investigation to the child's age, maturity, and health. The child has

⁸³ Chapter 13 Section 1 Aliens Act.

⁸⁴ Section 7 Health and Medical Services Act, available in Swedish [here](#).

the right to have an adult accompanying them during the investigation. This can be a parent, another guardian, a legal representative, and/or a public counsel.

Even if an individual interview is held with children, a child-focused conversation is always held with the parents about the individual child.

A decision on the merits is taken by two persons: the case officer and a decision maker. The difference between the two is that the case officer is responsible for the management of the case, which includes administrative tasks, conducting the interview and writing a proposed decision. The decision maker has regular contact with the case officer, but will, in the end, have the final word regarding the assessment of the application and the decision.

The Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex Rights (RFSL) have also made a report that focuses partly on credibility assessments. In the report “Rejection motivations in SOGIESC asylum cases in Sweden” they review the migration authorities’ assessments in 3,360 individual decisions and court rulings in SOGIESC asylum cases in Sweden, between 2012 and 2024. In the study, they were able to draw conclusions about how credibility assessments were used in practice and where the methods used by the authorities differed from the recommended practices.⁸⁵

The Swedish Migration Agency has confirmed that video interviews are not a new procedure; they have been conducted for several years in certain types of cases and are considered to work well.⁸⁶ They are primarily used for applicants living far from the interview location to reduce costs and travel time or when special needs make video interviews more suitable. The agency also states that remote interviews uphold legal safeguards equally to physical meetings.⁸⁷ However, video interviews can present challenges. Communication limitations may cause misunderstandings and frustration, particularly for applicants with special needs. Difficulties have been reported when the interpreter is not in the same room or not visible due to the lack of a video function. Additionally, remote interviews may make it harder to convey emotions such as fear of persecution or to accurately assess credibility. While applicants have not raised significant concerns, legal representatives participating by phone have found the process less effective. In cases involving trauma, hearing or visual impairments, or complex events requiring clarification, video interviews may be less suitable. If interpretation proves inadequate, the session can be rescheduled, often for an in-person interview.⁸⁸

1.3.1. Interpretation

The applicant may request an interpreter and interviewer of a certain gender.⁸⁹ The Swedish Migration Agency shall accommodate these requests if possible.⁹⁰ If the interpreter is lacking the necessary skills and this becomes apparent during the interview the case worker can close the interview and rearrange for another time with a competent interpreter. In practice, if there is a clear problem with interpretation during the interview, then the asylum seeker and/or legal representative can point to it and have the interview discontinued. In that case, a competent interpreter will be engaged on the next occasion.

It is not possible for the authorities to select interpreters sharing the same religious belief as an applicant because it is forbidden in Sweden to register a person’s faith.

⁸⁵ RFSL; *Rejection motivations in SOGIESC asylum cases in Sweden: A Case Law Analysis of the Migration Agency’s, the Migration Courts’ and the Migration Court of Appeal’s Assessments of Sexual Orientation, Gender Identity and Gender Expression Asylum Claims*, September 2024, available in English [here](#).

⁸⁶ Sveriges Radio, ‘Kritik mot asylutredningar på distans’, April 2020, available in Swedish [here](#).

⁸⁷ FRA, *Migration: Key Fundamental Rights Concerns*, November 2020, available [here](#), 23.

⁸⁸ Information provided by lawyers from the Swedish Refugee Law Center in March 2021.

⁸⁹ Chapter 8, Section 9 c Aliens Ordinance Act.

⁹⁰ *Ibid*. Note that Article 15.3(c) recast Asylum Procedures Directive introduces that obligation “wherever possible”.

The Government decided on 14 March 2019 to expand their annual directives to the Swedish Migration Agency by requesting them to assure legal quality and uniform application in asylum cases where religious conviction is a basis for the claim. In the agreement between the parties in the new government and the Sweden Democrats, the Tidö Agreement, it is stated that a review of the asylum process will be conducted with the aim of enhancing its quality, consistency, and legal certainty. The review shall among other things look at criteria for legal representatives, interpreters and lay judges and the assessment of conversion and LGBTQI+ cases.⁹¹ On 14 December 2023, the Government commissioned the Swedish Agency for Public Management (Statskontoret) to conduct a review of the asylum process with the aim of strengthening quality, uniformity and legal certainty. The review included cases involving converts and LGBTQI people, as well as other asylum cases.

In its report of 7 October 2024, the Swedish Agency for Public Management⁹² found that the proportion between approval and rejection decisions differs between the three regions of the Swedish Migration Agency in a way that cannot be explained. It was also found that there are clear differences between the regions in terms of the extent to which the migration courts change the Swedish Migration Agency's decision or send the case back to the agency. Further, it was found that the internal governance, control and follow-up within the Swedish Migration Agency is weak, and legal quality is not followed up in a systematic manner. The Swedish Agency for Public Management also noted that reports from the Swedish Migration Agency and other actors indicated that the legal quality of the Swedish Migration Agency's assessments of asylum cases, especially in LGBTQI and convert cases, had serious shortcomings.

As a consequence of the report the Swedish Migration Agency was, through its appropriation directions for 2025, instructed by the Government to take measures to ensure that its case processing is uniform and legally secure. On 23 September 2025, the Swedish Migration Agency submitted the report "Increased Uniformity and Legal Quality in Case Processing" to the Government.⁹³

In its report, the Swedish Migration Agency concludes that, based on the findings of the Swedish Agency for Public Management, it will implement a large number of planned, ongoing, and already completed measures within the authority in order to address the deficiencies identified across various areas. The proposed measures include, *inter alia*, competence-enhancing initiatives, the establishment of a new operational management and coordination structure, specific measures aimed at ensuring uniform and legally secure handling of cases where LGBTIQ-related grounds and claims of religious persecution are invoked, as well as the implementation of methods and guidelines in accordance with guiding documents for EU Member States.

During 2026, the Agency intends to examine the possibility of conducting a thematic quality review of asylum cases in which LGBTIQ-related grounds are invoked, with the aim of analysing the effects of the implementation measures undertaken.

The Government has also looked at questions surrounding legal representatives. A 2023 inquiry report found that there should be heightened eligibility requirements for public counsels in the migration process, a general declaration of ineligibility for representatives that are deemed to be unsuitable to act as public counsels and that, in cases where the individual is entitled to public counsel, if possible, an authorised interpreter should be used during oral proceedings, and an authorised translator for the translation of documents. Legislative changes will take effect on 1 January 2026.⁹⁴

⁹¹ *Tidöavtalet*, available in Swedish [here](#), p. 45.

⁹² The Swedish Agency for Public Management, *Många är små – Migrationsverkets styrning och uppföljning av den rättsliga kvaliteten i asylprocessen*, 7 October 2024, available in Swedish [here](#).

⁹³ The Swedish Migration Agency, *Återrapportering avseende regleringsbrevsuppdrag 2 - Ökad enhetlighet och rättslig kvalitet i ärendeprovningen*, 1.3.1-2025-11985, 23 September 2025, available in Swedish [here](#).

⁹⁴ Government of Sweden, 'Utkast till lagrådsremiss Skärpta krav för offentliga biträden och höjda kompetenskrav för tolkar i migrationsärenden', 13 November 2024, available in Swedish [here](#).

Only translators authorised by the Legal, Financial and Administrative Services Agency (*Kammarkollegiet*) have the right to designate themselves as authorised translators. Authorisation is awarded after a demanding written examination, consisting of texts on legal, economic, and general topics. Authorised translators are required to observe high professional standards, which include maintaining confidentiality and only taking on assignments they are capable of completing in a satisfactory manner. Likewise, only interpreters authorised by the Legal, Financial and Administrative Services Agency may refer to themselves as authorised interpreters. To obtain authorisation, interpreters have to show in written and oral examinations that they have a good command of both Swedish and the other language concerned, as well as the necessary interpreting skills. They must also have a basic understanding of areas such as social services and social security, health care, employment and general law, and of the terminology used in these fields.⁹⁵

The Swedish Migration Agency is not obliged to use authorised legal interpreters. However, the Courts do rely on authorised legal interpreters to a larger extent, but they are not always available in certain languages. There is a general code of conduct for interpreters issued by the *Kammarkollegiet* in **Stockholm** and was last updated in June 2021.⁹⁶ All interpreters stress that they follow the basic principles and respect the rules on confidentiality.

In 2018, the Swedish Migration Agency issued a guidance note to its staff regarding levels of competence necessary for different interpretation tasks. The government also commissioned a wider report on interpretation services which put forward a number of proposals.⁹⁷ A number of strategic goals for society's provision of interpreters can be formulated as medium-term goals of around five years:

- ❖ The State funds fewer educational pathways for interpreters but increases the total capacity. Volume and orientation are coordinated in relation to state authorisation of interpreters, with a basic requirement for training and workplace learning.
- ❖ The State keeps a register of authorised and trained interpreters. This forms the basis of future public sector interpreting services.
- ❖ A new interpreting services act is introduced, and the use of children as interpreters is prohibited and replaced with the use of professional interpreters. Regulatory frameworks, quality assurance and supervision of interpreters and intermediary bodies are developed.
- ❖ The public sector plans for the long term, collaborates, coordinates and uses existing interpreting resources more flexibly and effectively. An increasing share of resources is used to finance core interpreting activities, i.e., interpreting services.
- ❖ Quality-assured interpreters are offered public assignments through the State's coordinated commissioning. Authority requirements are matched against the quality of services delivered.
- ❖ The State and public sector build up their own interpreting resources where appropriate, or agree on guaranteed services. Cost increases for the public sector are held back but quality and societal benefits increase.
- ❖ The interpreting profession is valued and professionalised, which in the long term also leads to more traditional partnerships, a better work environment, higher employment rates and more labour market stability for interpreters.

However, in asylum interviews, when applicants recount the core events in their applications, interpreters occasionally fail to give a detailed account of what is said. At worst this can lead to an assessment by the case worker that the applicant has been vague in the account of events and therefore less credible. The onus is on the legal counsel to expand on clipped translations when making the submission after examining the transcript of the interview. The applicant may well have provided a detailed account in their own language, but it is only what is interpreted that makes its way into the official transcript.⁹⁸

⁹⁵ Kammarkollegiet, *Kammarkollegiets tolkföreskrifter*, KAMFS 2021:2, 30 June 2021, available in Swedish [here](#).

⁹⁶ Kammarkollegiet, *Kammarkollegiets tolkföreskrifter*, KAMFS 2021:2, 30 June 2021, available in Swedish [here](#).

⁹⁷ Government, *Att förstå och bli förstådd – ett reformerat regelverk för tolkar i talade språk*, SOU 2018:83, December 2018, available in Swedish [here](#), p. 36.

⁹⁸ Information based on the Swedish Refugee Law Center's first-hand experience.

1.3.2. Recording and transcript

The interview may be audiotaped by the asylum case officer, but this is not mandatory. Since the asylum case officer only makes a recording for the purpose of double-checking the notes taken during the interview, the audio-recording is not considered formally part of the processing of the asylum application and therefore the permission of the asylum seeker is not required before a recording is made. For that reason, the tape is not made accessible to legal counsel or the applicant. The legal counsel and/or the applicant can record the interview themselves with their own recording devices but there are no statistics that show how often this occurs, and there has also been situations where interpreters have refused the legal counsel and/or applicant to record the interview.⁹⁹

Almost *verbatim* notes are taken of the interpreter's translation, and the transcript is made available to the applicant through the legal counsel to comment on and add to before a decision is made in the case.¹⁰⁰ A specific date is given by the Swedish Migration Agency, usually two weeks from the asylum investigation, by when comments and additional information must be submitted. If the time limit set by the Swedish Migration Agency is not enough because of different circumstances, for example difficulties with booking an interpreter in a specific language, there is a possibility to ask for an extension.¹⁰¹

Video interviews can be conducted when the applicant is residing a long distance from the Swedish Migration Agency's designated interview office.

1.4. Appeal

Indicators: Regular Procedure: Appeal

- Does the law provide for an appeal against the first instance decision in the regular procedure?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/> Judicial	<input type="checkbox"/> Administrative
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Some grounds <input type="checkbox"/> No
- Average processing time for the appeal body to make a decision in 2025: 9.8 months

There are two levels of appeal in Sweden: the first level consists of four Migration Courts (*migrationsdomstol*) and the second is the Migration Court of Appeal (*Migrationsöverdomstolen*).

1.4.1. Appeal before the Migration Court

A refusal decision by the Swedish Migration Agency can be appealed before the Migration Court and this appeal has suspensive effect under the regular procedure.¹⁰² Appeals are made to the four Migration Courts in **Stockholm**, **Luleå**, **Malmö** and **Gothenburg**. Appeals can be made both in relation to facts and/or points of law.

The asylum seeker has three weeks after having been informed of the first instance decision to lodge an appeal.¹⁰³ The written decision is communicated orally to the asylum seeker by a staff member of the Swedish Migration Agency's nearest reception centre with the assistance of an interpreter, often available by telephone, in a language understood by the applicant. It is the duty of the legal representative to contact

⁹⁹ Information provided by lawyers from the Swedish Refugee Law Center, 2024.

¹⁰⁰ The Swedish Migration Agency has introduced quality assurance procedures that retroactively require an analysis of how a case has been handled from various perspectives. This includes methods of promoting a learning organisation and checklists have been introduced covering many issues. The team the case officer belongs to examines quality assessment reports on a regular basis and the team-leader has the responsibility for establishing and developing good practice: Information provided by the Swedish Migration Agency, 2015.

¹⁰¹ Information provided by the Swedish Migration Agency in May 2023.

¹⁰² Chapter 12, Section 10 Aliens Act.

¹⁰³ Chapter 23 Section 2 Administrative Law (Förvaltningslagen).

their client regarding the decision and to submit an appeal against the refusal decision if the client so requests. This duty is not laid down in law and there are no legal sanctions against the legal representative if the deadline is missed. The Swedish Bar Association can issue disciplinary sanctions against a legal representative if they are a member of the Bar. An asylum seeker can also refrain from appealing the decision by signing an appropriate form and withdrawing the claim.

An appeal can be lodged by applicants in their own language, with some indication in Swedish or English – for practical reasons – as to the nature of the reasons for appeal. In a regular procedure an appeal is lodged in Swedish by the appointed lawyer, but where no legal assistance is available the Swedish Migration Agency has a responsibility to ascertain the general content of a submission in a language other than Swedish and its relevance as a basis of an appeal.¹⁰⁴ This does not mean that all the content needs to be translated in detail before a decision can be made.

There is a secure online portal through which relevant documents can be submitted and files are kept.¹⁰⁵ It is the lawyer's responsibility to ensure pleadings and appeals are submitted on time. The applicant does not have access to the portal, however if they wish to access the documents, they can ask their lawyer or the Swedish Migration Agency. The Swedish Migration Agency will either send the documents by mail or hand them over the counter in one of the Swedish Migration Agency's offices.

The appeal is formally addressed to the Migration Court but is first sent to the Swedish Migration Agency, which has the legal obligation to review its decision based on any new evidence presented.¹⁰⁶ In 2024, the Swedish Migration Agency changed its decision in one case out of 7,144¹⁰⁷ cases and in 2025 the Swedish Migration Agency did not change its decision in any cases.¹⁰⁸ This demonstrates that the Swedish Migration Agency almost never changes its initial position. When the Swedish Migration Agency does not change its decision, the appeal is forwarded to the Migration Court. In both 2024 and 2025, the Swedish Migration Agency took an average of four days to either make a decision on reconsideration or transfer the appeal to the Migration Court.¹⁰⁹ In 2024, the total number of forwarded asylum cases was 7,025.¹¹⁰ In 2025, this number decreased to 5,164 cases.¹¹¹

Oral hearings at the Migration Court are not mandatory but can be requested by the asylum seeker. A decision has to be made by the judge on the matter of an oral hearing before the case is examined by the court. Where the court refuses an oral hearing, the applicant is given a set date by which the appeal must be completed. In 2023, the prevalence of oral hearings varied significantly across the migration courts. The most cases held with oral hearings were conducted in Malmö (30,1%%), followed by Luleå (25%), Gothenburg (13,8%) and Stockholm (13,8%).¹¹² During 2024 the largest proportion was in Luleå (27.3%), followed by Gothenburg (24.4%), Malmö (23,9%) and Stockholm (13,9%).¹¹³ In 2025, the largest

¹⁰⁴ Administrative Court Procedure Act (1971:291) Section 50 and Administrative Procedure Act (2017:900) Section 13.

¹⁰⁵ EASO, *Asylum Report 2020: Annual Report of the Situation of Asylum in the European Union*, July 2020, available [here](#), p. 164.

¹⁰⁶ Chapter 13 Section 13 Aliens Act.

¹⁰⁷ The Swedish Migration Agency, Monthly Statistical Report December 2024 (månrapport 2412), page 21.

¹⁰⁸ The Swedish Migration Agency, Monthly Statistical Report December 2025 (månrapport 2512), page 21.

¹⁰⁹ The Swedish Migration Agency, Monthly Statistical Report December 2024 (månrapport 2412), page 21, and the Swedish Migration Agency, Monthly Statistical Report December 2026 (månrapport 2512), page 21.

¹¹⁰ The Swedish Migration Agency, Monthly Statistical Report December 2024 (månrapport 2412), page 21.

¹¹¹ The Swedish Migration Agency, Monthly Statistical Report December 2025 (månrapport 2512), page 21.

¹¹² Statistics provided by the National Courts Authority in January 2024. The numbers are extracted from the number of asylum cases decided on where oral hearings had been conducted ("FR Rapport 300 Förh tid I avgjorda mål 2023") and the number of concluded asylum cases (Avlägsnandemål asyl, "FR KR Rapport 100 Ink, avg.bal per målkat 2023").

¹¹³ Statistics provided by the National Courts Authority in January 2025. The numbers are extracted from the number of asylum cases decided on where oral hearings had been conducted ("FR Rapport 300 Förh tid I avgjorda mål 2024") and the number of concluded asylum cases (Avlägsnandemål asyl, "FR KR Rapport 100 Ink, avg.bal per målkat 2024").

proportion of oral hearings was in Stockholm (27.9%), followed by Luleå (24.5%), Gothenburg (23.3%) and Luleå (13.5%).¹¹⁴

Oral hearings held by the Migration Courts ¹¹⁵		
Court	Total number of hearings	
	2024	2025
Malmö	243	149
Gothenburg	446	290
Luleå	189	132
Stockholm	471	547
Total	1,349	1,118

In 2023, 1,245 cases where oral hearings had been held were concluded in the Migration Courts. In 2024 there were 1,349 cases in the Migration Court where oral hearings were granted. In 2025 a total of 1,118 cases were granted oral hearings before the Migration Court. An oral hearing may be open to the public initially but, before the proceedings start, the judge enquires about the applicant's wishes regarding confidentiality and decides accordingly. If the court finds indications for confidentiality in the case before the oral hearing, it can choose to keep the name of the appellant confidential, and the name will then not appear on screens in the courthouse or be mentioned when the court calls on the hearing to start. This can for example be the case when the case contains sensitive information or if the appellant comes from a country that is suspected of tracking information about refugees from that country. The judge may, however, override the wishes of the applicant and declare that the hearing be video recorded e.g., in cases of national security.

The average processing time for 90 % of the asylum cases in the Migration Courts in 2025 was 15.2 months which can be compared to 9.6 months in 2024.¹¹⁶ The Migration Courts changed 7.4% of the appealed asylum cases' decisions in 2024, and in 2025 this number was 8.7 %.¹¹⁷ Migration Court rulings are publicly available. The rulings can be accessed either directly from the Migration Court upon request, in paper or electronically, or via legal information databases (subject to a licence/subscription). In order to not reveal sensitive information about an applicant, the Migration Court can decide that the name of the applicant and/or certain parts of the ruling shall be kept confidential.

Asylum seekers in the regular procedure have access to free legal aid and are usually called to a meeting with the lawyer to prepare the appeal to the Migration Court. The reasons for the first instance rejection are explained and the applicant has an opportunity to provide new evidence or arguments to support their case. An interpreter financed by the state is available at this meeting. On rare occasions, legal counsel may fail to submit the appeal in time, and this means the case is abandoned.¹¹⁸

However, there is a mechanism whereby an appeal can be made to have the late submission accepted by the Migration Court.¹¹⁹ The outcome of such an appeal depends on whether there are any extenuating circumstances e.g., in the event of the serious illness or death of the applicant's legal counsel. If all the

¹¹⁴ Statistics provided by the National Courts Authority in January 2026. The numbers are extracted from the number of asylum cases decided on where oral hearings had been conducted in the specific court ("FR Rapport 300 Förh tid i avgjorda mål 2025") and the number of concluded asylum cases in the specific court (Avlägsnandemål asyl, "FR KR Rapport 100 Ink, avg.bal per målkat 2025").

¹¹⁵ Statistics provided by the National Courts Authority in January 2025 and January 2026.

¹¹⁶ Statistics provided by the National Courts Authority in January 2025 and January 2026 (501 - Omloppstid)..

¹¹⁷ Statistics provided by the National Courts Authority in Januari 2025 and January 2026 (402 – Ändringsfrekvens).

¹¹⁸ Paragraph 6 Administrative Procedure Act (Förvaltningsprocesslagen).

¹¹⁹ Paragraph 37 b Administrative Procedure Act.

elements of the appeal cannot be submitted within the 3-week period when an appeal has to be lodged, the legal counsel can ask for an extension to complete the appeal. This is often granted. If the applicant wants an oral hearing at court, this has to be specifically requested.¹²⁰ When this is done and if the request is refused, a date is set for the completion of the submission and any arguments that would have been presented in a court appearance can be submitted in writing.¹²¹ There are no statutory deadlines during the actual proceedings. Administrative courts can decide for themselves which time limits should apply to, for example, requests for deferrals. Usually, this deadline is a few weeks.

1.4.2. Onward appeal before the Migration Court of Appeal

“Leave to appeal to the Migration Court of Appeal is issued if:

- (1) it is of importance for the guidance of the application of the law that the appeal is examined by the Migration Court of Appeal or
- (2) there are other exceptional grounds for examining the appeal.”¹²²

In general, administrative procedure law, there is a further ground for leave to appeal “if reason exists for an amendment of the conclusion made by the county administrative court”.¹²³ However, this ground does not apply to the Aliens Act. Leave is only granted where an appeal may be of importance as a precedent, or if there are exceptional reasons, such as a serious procedural error made by the Migration Agency or the Migration Court.

The applicant and the Migration Agency have 3 weeks to appeal to the Migration Court of Appeal after the delivery of the Migration Court’s decision to the applicant.¹²⁴ Decisions of the Migration Court of Appeal are final and non-appealable.

The Migration Court of Appeal is the main source of jurisprudence in the Swedish asylum system. Decisions by the Migration Courts are not deemed to set precedent, even though they may contain important legal reasoning.

The Migration Court of Appeal can exceptionally hold an oral hearing but in most cases, there is only a written procedure. Decisions on leave to appeal are taken by two or, in exceptional cases, three judges. There are no lay judges at the Migration Appeal Court; it is only comprised by qualified judges. If leave to appeal is granted, a decision is taken by three judges, while exceptionally important cases are decided by a panel of seven judges.

Free legal aid is provided for public counsel to make an application for leave to appeal. If leave is granted, then further legal aid is provided. Until a decision on leave to appeal is handed down, the appeal has suspensive effect.¹²⁵ If leave is refused, the expulsion order is legally enforceable from the date of refusal.

In 2025 a total of 3,342 appeals were made to the Migration Court of Appeal in asylum cases and the latter decided upon 3,394 cases:

Appeals before the Migration Court of Appeal					
	2021	2022	2023	2024	2025
Total number of appeals lodged	6,407	4,833	5,293	5,067	3,342

¹²⁰ Paragraph 9 Administrative Procedure Act.

¹²¹ Paragraph 37 b, Administrative Procedure Law.

¹²² Chapter 16, Section 12 Aliens Act.

¹²³ Section 34a(2) Administrative Court Procedure Act (1971:291).

¹²⁴ Chapter 16, Section 10 Aliens Act.

¹²⁵ Chapter 16, Section 10 Aliens Act.

Total number of decisions	6,388	4,941	5,231	5,132	3,394
Leave to appeal rejected	6,373	4,788	5,038	4,964	3,389
Leave to appeal granted	59	13	5	10	8
Appeals accepted	1	1	0	1	5
Appeals rejected	45	0	0	1	1
Appeals referred back to lower instances	13	7	5	8	4

Source: The total number of appeals and decisions in asylum cases (*FR KR Rapport 100 InkAvgBal per målkat 2025*), is provided by the National Courts Authority. Information concerning leave to appeal, appeals accepted, rejected and referred back is from the Migration Agency's Monthly statistical report for December (månrapport 2512) 2025 page 22.

The discrepancies in the above table between the total number of appeals lodged and the number of decisions is due to the fact that certain decisions were issued on appeals of the previous year. When the Migration Court of Appeal hands down its decision, the expulsion order is enforceable, and the person is expected to leave Sweden voluntarily within two weeks in a manifestly unfounded case or four weeks in regular procedure cases.

In national security cases, where the asylum seeker is considered as a potential threat to national security, the Migration Agency is the first instance and the Migration Court of Appeal provides views on the appeal, but the Government is legally responsible for the final decision.¹²⁶ However if the Migration Court of Appeal determines that there is a risk of torture or other breaches of Article 3 ECHR, which has been incorporated into Swedish law, then the Government has to abide by this opinion.¹²⁷

In January 2025, the Migration Court of Appeal ruled in case MIG 2025:1, concerning the assessment of the maintenance requirement under Chapter 6, Section 2, first paragraph of the Aliens Act. The court held that, under certain circumstances, compensation that is regularly paid in addition to the basic salary may be considered when assessing whether the maintenance requirement is fulfilled. The forward-looking assessment of the maintenance requirement may be conducted over a longer period than on a monthly basis, and a certain degree of variation in income can be accepted.

In March 2025, the Migration Court of Appeal ruled in case MIG 2025:3, concerning whether a conviction for gross weapons offence constitutes a particularly serious crime justifying the revocation of refugee status. A foreign national who had previously been granted refugee status was convicted by a general court of gross weapons offence after being found in possession of a sawn-off shotgun in his home. The Migration Court of Appeal had to determine whether the offence qualified as a particularly serious crime within the meaning of the Aliens Act and, if so, whether there were grounds to revoke his refugee status. In its assessment, the court took into account the judgment of the CJEU of 6 July 2023 in case C-402/22. The Migration Court of Appeal concluded that the offence constituted a particularly serious crime and that the individual posed a threat to a fundamental interest of society. The court further held that revoking his refugee status was a proportionate measure.

In March 2025, the Migration Court of Appeal ruled in case MIG 2025:4, addressing the issue of derived right of residence under Article 20 TFEU. Such a derived right of residence may, under certain conditions, arise for a third-country national or a stateless person who has not been granted the right to stay in Sweden on any other grounds. The case concerned the order in which the assessment should be carried

¹²⁶ Chapter 2a, Special Control of Aliens Act (Lagen om särskild utlänningskontroll) 1991:572.

¹²⁷ Chapter 10, Special Control of Aliens Act.

out in such situations. The Migration Court of Appeal held that the Swedish Migration Agency should not have refused to examine the question of a derived right of residence on the grounds that the applicant lacked a passport. The case implies that the Migration Agency may not deport a person to a country outside the EU before first examining whether a derived right of residence exists. While it is positive that the Migration Court of Appeal opened the possibility of applying national provisions, it remains unclear how the substantive assessment is to be conducted in practice when the individual is unable to establish their identity or obtain a passport.

In April 2025, the Migration Court of Appeal ruled in case MIG 2025:6 that a residence permit based on family ties could not be refused due to circumstances relating to a previous residence permit case involving a third person. The Swedish Migration Agency had relied on an alleged omission in a prior case concerning the reference person's former spouse. The court held that Chapter 5, Section 17 a of the Aliens Act requires that incorrect information or omitted circumstances must be considered as relevant to the application under examination. As the circumstances invoked did not concern the applicant or the reference person's status in the present case, there were no grounds to refuse the residence permit.

In December 2025, the Migration Court of Appeal ruled in case MIG 2025:14 that an unaccompanied refugee child's unconditional right to family reunification with their parents entails that, when the parents are granted residence permits, minor siblings must also be granted residence permits. This applies unless there are special circumstances indicating that the siblings do not have a relationship of dependency with their parents.

1.5. Legal assistance

Indicators: Regular Procedure: Legal Assistance

1. Do asylum seekers have access to free legal assistance at first instance in practice?

Yes With difficulty No

❖ Does free legal assistance cover:

Representation in interview

Legal advice

2. Do asylum seekers have access to free legal assistance on appeal against a negative decision in practice?

Yes With difficulty No

❖ Does free legal assistance cover

Representation in courts

Legal advice

Free legal assistance is provided to asylum seekers throughout the regular procedure and at all appeal levels and is funded by state budget.¹²⁸ The only times where the right to legal assistance is conditional are in cases concerning appeal of the Migration Agency's decision regarding proclamation of protected status and a decision not to grant a re-examination of a subsequent application. The conditions are then that the person must be in Sweden and that it is not obvious that the appeal does not have a reasonable prospect of success. When the application is presumed to be granted, it is often determined that no legal assistance is needed and hence will not be provided.¹²⁹

The legal representative is assigned and designated by the Swedish Migration Agency or the respective court; where applicable the asylum seeker can ask for a specific person to be designated, a request which is normally granted. The criteria for the appointment of legal counsel take into consideration whether the counsel is located close to the office responsible for handling the case, but this is not an absolute criterion if the applicant has requested a specific lawyer. According to a ruling of the Migration Court of Appeal, the choice of lawyer by the applicant must be respected even if the lawyer is located at a distance or is not available at the preferred time of the Swedish Migration Agency for an interview.¹³⁰

¹²⁸ Chapter 18, Section 1 Aliens Act.

¹²⁹ Chapter 18, Section 1a Aliens Act.

¹³⁰ Migration Court of Appeal, Decision MIG 2017:21, UM8311-17, 14 November 2017, available in Swedish [here](#).

At the preparatory meeting, the lawyer should inquire briefly as to the substance of the claim and ask for any substantiating documents as well as provide the asylum seeker with advice on the asylum procedure. The legal counsel then attends the oral interview and subsequently makes a submission which incorporates any views on the oral transcript and any supplementary information counsel wishes to refer to in relation to the substance of the case. It is difficult for the lawyer to know in advance exactly how many hours of work a case will require as well as how many of those hours of work will be monetarily compensated by the authorities. Their fee can be reduced by a decision of the Swedish Migration Agency or at a later stage by the Court. These decisions can be appealed separately by the legal counsel. On average, 10-15 hours of work are usually approved at the first instance for regular asylum cases and any hours beyond those must be carefully motivated based on the exceptional nature of the case. Interpretation costs are reimbursed separately, along with other necessary expenses. Lawyers do not get paid for investigating country of origin information.

Other areas of legal practice are often better remunerated than asylum cases. During 2025, the fees for asylum cases were approximately €150 an hour (SEK 1,586, not including VAT).¹³¹ At the Court level, the legal costs are higher if there is an oral hearing compared to a mere written procedure, but the hourly fee remains the same.

According to Section 26 of the Legal Aid Act, the Swedish Migration Agency shall, when appointing a public counsel, assess whether they are suitable. If a person wishes to be appointed, they need to prove their qualifications. To be appointed as a public counsel in migration matters, the person must have a Swedish law degree or equivalent knowledge of migration law, family law and administrative law. The person must also have experience in proceedings in a Swedish court. The Swedish Migration Agency also requires that the person have liability insurance.

Anyone who has been suspended by a general court or an administrative court, expelled from the bar association, committed a crime, has debts to the Swedish Enforcement Authority or has been declared bankrupt may be deregistered or suspended for a period of time by the Swedish Migration Agency. The same applies to a person who has otherwise proven to be unsuitable for assignments as a public counsel.

In order for the Swedish Migration Agency to be able to make a competence assessment, the person wanting to be a public counsel need to submit the form "Materials for competence assessment", together with their degree certificate from law school, course certificates and other documents that are important to prove their competence in migration law and children's rights.

The Swedish Migration Agency maintains a list of persons who have registered with them to be legal counsel in asylum and migration cases and distributes cases according to their availability. There is currently no data available on the number of persons registered on that list.¹³² There are no requirements for legal counsel to pass any tests in this area of law and this means there can be an uneven level of competence, which in individual cases can be to the detriment of the asylum seeker's protection grounds. The asylum seeker has the right to complain if the appointed legal counsel does not fulfil their duties and to request a new lawyer. However, substitution of counsel may only occur with special permission and only if there are particular reasons.¹³³ The concept of "special reasons" in the substitution of public counsel can include situations where there is a significant conflict between the client and the current counsel, lack of trust, or circumstances that substantially affect the ability to provide effective legal assistance. It can also be related to the counsel's health, capacity, or other factors that impact their ability to perform the assignment satisfactorily. Determining "special reasons" may be subject to assessment based on specific circumstances in each individual case and may vary.

¹³¹ Standard hourly fee for 2025 according to the hourly cost standard, which can be found [here](#).

¹³² Information provided by the Migration Agency by email in March 2024.

¹³³ Section 5 of the Act (1996:1620) on Public Counsel and Sections 26-29 of the Legal Aid Act (1996:1619).

In 2023 legal counsel was granted in 3,268 cases.¹³⁴ In 2024, legal counsel was granted in 2,870 cases and not granted in 398 cases.¹³⁵ Legal counsel was granted in 3,228 cases in 2025.¹³⁶ All appointments of legal counsels are registered in the Swedish Migration Agency’s system under the removal or expulsion case, regardless of the type of case. To determine the case type of the main matter, the Migration Agency would need to review each individual case separately and therefore there is no reliable data on this for Dublin cases.

Asylum seekers can also approach NGOs for advice. It should be noted that some NGOs have cut back their services to asylum seekers. The Swedish Refugee Law Center offers legal support through e-mail and telephone. The Swedish Red Cross offers legal support through a hotline as well as by appointment, and its lawyers can act as legal counsel. The Red Cross prioritises cases concerning family reunification, persecution due to risk of torture and gender-based persecution.

In addition to its plans to increase financial incentives to encourage voluntary returns, the Swedish government is also considering limiting the right to legal aid for people seeking asylum and removing the possibility for them to receive permanent residence permits. According to the Swedish Refugee Law Center,¹³⁷ this will lead to “multiple erroneous decisions and people being deported to countries where they risk persecution or other serious violations of their human rights” and “also means a significant deterioration in the possibility of a fair hearing, not least for people with special needs in the asylum process, such as children, people with disabilities or people with trauma”. Regarding the proposal to eliminate the possibility of receiving permanent residence permits, the organisation said that “Such a system will create great psychological stress, especially for children, families and others who need security to be able to establish themselves in society”. Among other things, the Legislative Council's opinion on the proposal and preparatory works are expected in 2026.

2. Dublin (“Track 5A”)

2.1. General

Dublin statistics: 1 January – 31 December 2025

Outgoing procedure				Incoming procedure			
	Requests	Accepted	Transfers ¹³⁸		Requests	Accepted	Transfers ¹³⁹
Total	1,230¹⁴⁰	1,172	Not available	Total	2,475	2,468	Not available
Take charge	567	397	Not available	Take charge	369	233	Not available
Greece	84	Not available	Not available	Germany	106	Not available	Not available
Germany	38	Not available	Not available	France	72	Not available	Not available
Italy	77	Not available	Not available	Belgium	36	Not available	Not available
France	37	Not available	Not available	Italy	25	Not available	Not available

¹³⁴ Information provided by the Migration Agency by email in March 2024.

¹³⁵ Information provided by the Migration Agency by email in January 2025.

¹³⁶ Information provided by the Migration Agency by email in January 2026.

¹³⁷ You can read more about limiting legal aid and removing permanent residence permits [here](#) (in Swedish).

¹³⁸ The Swedish Migration Agency has changed the way it presents its statistics in Dublin cases, which means that it is no longer possible to distinguish between *take back* and *take charge* when it comes to accepted decisions.

¹³⁹ The Swedish Migration Agency has changed the way it presents its statistics in Dublin cases, which means that it is no longer possible to distinguish between *take back* and *take charge* when it comes to accepted decisions.

¹⁴⁰ Information provided by the Migration Agency by email in January 2026. The total number of 1,230 outgoing requests is taken directly from the Swedish Migration Agency’s official statistics and has not been calculated by the Swedish Refugee Law Centre. The Swedish Refugee Law Center cannot account for the discrepancy of 12 cases when adding the totals for the take charge and take back requests.

Hungary	83	Not available	Not available	Denmark	12	Not available	Not available
Take back	651	341	Not available	Take back	2,053	1,518	Not available
Greece	112	Not available	Not available	Germany	698	Not available	Not available
Germany	55	Not available	Not available	France	557	Not available	Not available
Italy	29	Not available	Not available	Belgium	185	Not available	Not available
France	40	Not available	Not available	Italy	94	Not available	Not available
Hungary	0	Not available	Not available	Denmark	130	Not available	Not available

Source: Information provided by the Swedish Migration Agency in January 2026. The numbers show the number of transfer decisions. The countries are chosen after the five countries with most requests in total (take charges and take backs). There is a discrepancy between total requests and total decisions - probably because of a backlog from the year before.

Disclaimer: There are differences in the Swedish Migration Agency's and Eurostat's statistics on asylum seekers because Eurostat reports more asylum seekers than the Swedish Migration Agency. The Swedish Migration Agency counts an application from a person who is in Sweden with a residence permit on the grounds of family ties under the temporary law, and who then applies for asylum, as an extension of the current permit. In Eurostat's statistics, this is counted as a first-time application (if the person has never previously applied for asylum in Sweden). Otherwise, both parties use the same groupings for asylum seekers.

Outgoing Dublin requests by criterion: 2025		
Dublin III Regulation criterion	Requests sent	Requests accepted
"Take charge": Articles 8-17:	1,230	1,175
Article 8 (minors)	2	1
Article 9 (family members granted protection)	1	0
Article 10 (family members pending determination)	0	0
Article 11 (family procedure)	2	2
Article 12 (visas and residence permits)	510	352
Article 13 (entry and/or remain)	49	40
Article 14 (visa free entry)	0	0
"Take charge": Article 16	0	0
"Take charge" humanitarian clause: Article 17(2)	3	2
"Take back": Article 18 and Article 20(5)	651	620
Article 18 (1) (b)	448	227
Article 18 (1) (c)	5	3
Article 18 (1) (d)	198	111
Article 20(5)	0	0

Source: Information provided by the Migration Agency's statistics unit in January 2026.

Incoming Dublin requests by criterion: 2025		
Dublin III Regulation criterion	Requests received	Requests accepted
"Take charge": Articles 8-17	2,475	2,468
Article 8 (minors)	19	10
Article 9 (family members granted protection)	23	5
Article 10 (family members pending determination)	2	0
Article 11 (family procedure)	10	0
Article 12 (visas and residence permits)	268	201
Article 13 (entry and/or remain)	14	8

Article 14 (visa free entry)	0	0
“Take charge”: Article 16	3	0
“Take charge” humanitarian clause: Article 17(2)	30	9
“Take back”: Articles 18 and 20(5)	2,053	1,552
Article 18 (1) (b)	1,668	1,191
Article 18 (1) (c)	5	4
Article 18 (1) (d)	379	322
Article 20(5)	1	1

Source: Information provided by the Migration Agency’s statistics unit in January 2026.

2.1.1. Application of the Dublin criteria

In 2025 Sweden issued 1,230 and received 2,475 requests under the Dublin Regulation. Sweden interprets the Dublin Regulation rules rather strictly and respects the hierarchy established by the Regulation. The Swedish Aliens Act refers to the Dublin Regulation rules but not in detail since the Regulation has direct effect in Swedish law.

All asylum seekers that are 14 years or older are fingerprinted and checked both in the Eurodac and Visa Information System (VIS) databases¹⁴¹ Children aged 6 and above are fingerprinted, but they will not be checked against any databases. If an asylum seeker refuses to be fingerprinted it can be interpreted as refusing to participate in the investigation on whether they have the right to stay in Sweden, which is a basis for detention.¹⁴² The law does not authorise the use of force to take fingerprints.

2.1.2. The dependent persons’ and discretionary clauses

Sweden made three request based on the “humanitarian clause” (Article 17(2) Dublin Regulation) and none based on the “dependent persons’ clause” (Article 16 Dublin Regulation) in 2025 and received 30 and 3 incoming requests on those grounds, respectively.

Statistics regarding Article 17(1) are limited since no formal decision to refrain from sending a take charge request and to examine the application in Sweden is taken.

2.2. Procedure

Indicators: Dublin: Procedure

1. Is the Dublin procedure applied by the authority responsible for examining asylum applications?
 Yes No
2. On average, how long does a transfer take after the responsible Member State has accepted responsibility?
 Not available

Track 5A deals with cases under the Dublin Regulation. These cases are not sent to the Distribution Unit but channelled immediately into this track. The Dublin Unit had 24 officials in 2024.¹⁴³ At national level, the Alien Act refers to the Dublin Regulation rules but not in detail since the Regulation has direct effect in Swedish law. Cases where another Member State is found to be responsible because the applicant has been granted a valid residence permit or any other form of permit granting the right to stay in another Member State can be rejected as inadmissible.¹⁴⁴

¹⁴¹ Information provided by the Swedish Migration Agency in email January 2025.

¹⁴² Chapter 10 Section 1 Aliens Act.

¹⁴³ Information provided by the Swedish Migration Agency.

¹⁴⁴ Chapter 5 Section 1 b Aliens Act.

If another Member State is deemed to be responsible and a transfer decision is made, a combined notification and return interview is held with the applicant. The transfer decision is enforceable and transfer travel planning can begin immediately. In Track 5A, there are no ID issues to consider so the focus of the Migration Agency is on the applicant's attitude to transfer and the availability for executing the transfer.

The applicant is initially informed in writing and orally that a Eurodac or a VIS hit has been registered and is given the opportunity to register, in writing, any objections to being sent to the assigned country. These objections must be handed in before the time limit set by the Migration Agency expires or else the decision can be made based on existing information. The Migration Agency can extend the time limit if requested by the applicant, but the applicant must provide a reason for the extended time limit. Common reasons are for example if one waits for identification documents to be sent to you or if one needs a medical evaluation. There are no set time limits, and both the time limit and the possible extension is decided by the Migration Agency.

A decision is then made to formally transfer the person and this decision is communicated in person by the Migration Agency to the applicant. The applicant has to sign that this decision has been received. The reception officer then discusses the practicalities of the transfer to the designated country and indicates how soon this could take place. If the applicant appears willing to cooperate, a date is later fixed for the transfer. If the applicant does not cooperate, then the case will be handed over to the police for an enforced transfer. A decision is usually also made to reduce the daily allowance to the asylum seeker because of their unwillingness to cooperate.¹⁴⁵ The applicant is informed of the right to appeal in person and the right to write it in their own language if need be but also told that an appeal will not have a suspensive effect unless the Migration Court makes a different assessment.¹⁴⁶

The Migration Agency has produced information sheets in several languages outlining the mechanisms of the Dublin Regulation (see [Provision of information on the procedure](#)), although technical issues such as the effects of the VIS system are not easily comprehensible to asylum seekers. The asylum seeker receives a copy of these and later a copy of the acceptance by the other Member State. The asylum seeker is informed that a request is being made and about the evidence the request is based on.

2.2.1. Individualised guarantees

As a general rule the Swedish Migration Agency does not seek individualised guarantees prior to a transfer.¹⁴⁷

2.2.2. Transfers

Most Dublin transfers take place on a voluntary basis. Asylum applicants are not detained when they are being notified that another country is responsible for assessing their asylum application. However, Dublin cases are accommodated in facilities that are close to an airport or moved to such accommodation in connection with the impending transfer, instead of allowing them to settle initially anywhere in Sweden.

In 2025 Sweden received 2,475 Dublin incoming requests and issued 1,230 outgoing requests to other Dublin States. A total of 470 Dublin transfers were carried out to another Dublin country in 2024.¹⁴⁸

The average processing time for all Dublin cases in 2025, i.e., until a transfer decision was issued, was 41 days, down from 42 days in 2024 and 50 days in 2023.¹⁴⁹

2.3. Personal interview

¹⁴⁵ The Reception Act (1994:137) Section 10.

¹⁴⁶ Chapter 12 Section 9 a Aliens Act.

¹⁴⁷ Information provided by the Migration Agency, August 2017.

¹⁴⁸ Information provided by the Migration Agency's statistics unit in January 2026.

¹⁴⁹ The Swedish Migration Agency, Monthly Statistical Report December 2025 (månrapport 2512), page 15.

Indicators: Dublin: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the Dublin procedure?
 Yes No
❖ If so, are interpreters available in practice, for interviews? Yes No
2. Are interviews conducted through video conferencing? Frequently Rarely Never

According to a precedent-setting ruling by the Migration Court of Appeal,¹⁵⁰ all Dublin cases are subject to a personal interview conducted by the Migration Agency through an interpreter but without the presence of legal counsel. However, in the case of an unaccompanied child, the guardian is present and legal counsel can be appointed. The interview does not go into the asylum grounds in any detail, but a brief outline of flight reasons is made in most of the interview documentation.

Questions are asked about relatives in other EU countries, previous stays in EU countries, the health condition of the applicant, any objections to being sent to the responsible EU Member State, and attitude towards leaving voluntarily.

A transcript of the interview is made but not normally communicated to the asylum seeker since it is only in Swedish. The transcript and other documents regarding an applicant's asylum case can be requested.

If there are close relatives in another EU country, Swedish authorities take no action to inform that country of the presence of a relative in Sweden but await a request from the other country regarding the desirability of family reunification and written consent from the family present in Sweden to be reunited.¹⁵¹

2.4. Appeal

Indicators: Dublin: Appeal

Same as regular procedure

1. Does the law provide for an appeal against the decision in the Dublin procedure?
 Yes No
❖ If yes, is it Judicial Administrative
❖ If yes, is it suspensive Yes No

An application will be dismissed as **inadmissible** when the Dublin Regulation applies.¹⁵² In Dublin cases, there is no legal counsel automatically appointed at first instance (except for unaccompanied children), so the asylum seeker must either appeal alone or seek the support of friends or NGOs. The appeals procedure is no different from the appeal system that applies in the **Regular Procedure: Appeal**.

All Dublin appeals are dealt with by the Migration Court in Stockholm. In line with Article 27(3)(c) of the Dublin III Regulation, if an applicant requests for their appeal to have suspensive effect, the transfer is automatically suspended until the Court decides on whether to suspend the implementation of the transfer.¹⁵³ Moreover, appeals in Dublin cases are often expedited quickly by the Migration Court and the Migration Court of Appeal.¹⁵⁴ The appeal body does not take into account the recognition rates in the responsible member state when reviewing the Dublin decision.¹⁵⁵

¹⁵⁰ Migration Court of Appeal, MIG 2007:4, UM 607-06, 22 January 2007, available [here](#).

¹⁵¹ Information provided by the Swedish Refugee Law Center.

¹⁵² Chapter 5, Section 1c Aliens Act.

¹⁵³ Chapter 12, Section 9 a Aliens Act.

¹⁵⁴ Observation based on practice by the Swedish Refugee Law Center.

¹⁵⁵ Migration Court of Appeal, Decision MIG 2013:23, 9 December 2013, available [here](#).

The Migration Court of Appeal made a reference for a preliminary ruling to the CJEU to clarify whether an applicant is entitled to challenge a Dublin transfer solely on the basis of systemic deficiencies or also on other grounds i.e., relating to the application of the responsibility criteria. The CJEU ruled on 7 June 2016 and found that in order for a correct application of the responsibility determination procedure under the Dublin III Regulation to take place, the applicant must be able to contest a transfer decision and invoke an infringement of the rule set out in Article 19(2) of the Regulation, i.e. where the applicant provides evidence that he/she has left the territory of one Member State, having made an application there, for at least three months and has made a new asylum application in another Member State.¹⁵⁶

On 26 February 2020, the Migration Court of Appeal found in the case MIG 2020:4 that a decision by the Swedish Migration Agency to not take charge of an asylum seeker upon request from another member state cannot be appealed.¹⁵⁷ In the present case, the Migration Court of Appeal also rejected a request from the individual concerned that the Court should request a preliminary ruling from the Court of Justice of the European Union, despite the fact that other national courts in Germany and the UK have found that asylum seekers have a right to appeal rejections of take charge requests.¹⁵⁸ The Court found that the decision not to take charge primarily concerns the States involved, not the individual, at least not directly in a way that would entail an assessment of potential violations of their freedoms or rights.

2.5. Legal assistance

Indicators: Dublin: Legal Assistance

Same as regular procedure

1. Do asylum seekers have access to free legal assistance at first instance in practice?

Yes With difficulty No

❖ Does free legal assistance cover:

Representation in interview

Legal advice

2. Do asylum seekers have access to free legal assistance on appeal against a Dublin decision in practice?

Yes With difficulty No

❖ Does free legal assistance cover

Representation in courts

Legal advice

The Migration Court of Appeal has in the case MIG 2014:29 expressed that the Swedish Migration Agency can appoint a public counsel in Dublin cases, but that it can also consider that there is no need for a counsel. In the same case, the Court also expressed that a public counsel can be appointed at the second instance, in case the appeal has a reasonable prospect of success. In practice, legal counsel is not made available at first instance in Dublin cases, and the Migration Courts are also very restrictive in appointing public counsels.¹⁵⁹

The Migration Court can appoint legal counsel in Dublin appeals but does take into account whether the grounds for appeal raise issues that could lead to a change in the decision. The difficulties with regard to access to legal assistance in the regular procedure are also applicable here (see [Regular procedure: Legal assistance](#)).

¹⁵⁶ CJEU, *Karim v. Migrationsverket*, Case C-155/15, Judgment of 7 June 2016, available [here](#).

¹⁵⁷ Migration Court of Appeal, MIG 2020:4, 26 February 2020, see EDAL summary [here](#).

¹⁵⁸ See e.g., UK Upper Tribunal, *MS [a child by his litigation friend MAS] v. Secretary of State for the Home Department*, 19 July 2018, available [here](#).

¹⁵⁹ There is a right to free public counsel if a person is detained for more than 3 days as a measure related to expulsion or transfer. Also, certain vulnerable asylum seekers (deaf and mute for example) can be granted public counsel.

2.6. Suspension of transfers

Indicators: Dublin: Suspension of Transfers

1. Are Dublin transfers systematically suspended as a matter of policy or jurisprudence to one or more countries? Yes No
❖ If yes, to which country or countries? Hungary

To Hungary

In March 2019, the Swedish Migration Agency announced it considers that there are well-founded reasons to assume that there are currently such systemic deficiencies in the asylum procedure and reception conditions in Hungary that transfers there would engage Article 3(2) of the Dublin Regulation. These deficiencies entail a risk of inhuman or degrading treatment within the meaning of Article 4 of the Charter of Fundamental Rights of the European Union.

As far as the authors are aware, no persons have been transferred to Hungary since 2018.

In November 2022 (revised in 2023), the Swedish Migration Agency issued a new legal guidance note regarding Dublin transfers to Hungary.¹⁶⁰ The Swedish Migration Agency currently does not consider that such systemic deficiencies in the asylum procedure and reception conditions in Hungary exist that transfers would engage Article 3(2) of the Dublin Regulation. The Swedish Migration Agency however consider that there are serious doubts on whether an asylum seeker, after transfer to Hungary, can gain access to the asylum procedure. Therefore, the Swedish Migration Agency assesses that no transfers to Hungary can be done until further notice.

The Swedish Migration Agency continues to make the request and take transfer decision if Hungary is determined to be the responsible Member State. In 2025, 83 requests were made to Hungary.¹⁶¹ However, the transfer decisions may not be enforced as long as the current conditions in Hungary remain. All transfer decisions to Hungary in accordance with the Dublin regulation are therefore suspended until further notice. This means that after six months have passed, their asylum process continues in Sweden, and they can apply for asylum here.

To Greece

In 2025, Sweden submitted three requests for Dublin transfers to Greece, and two Dublin transfer decisions were enforced. Sweden does not transfer applicants to Greece unless individual guarantees have been obtained by Greek authorities. The Swedish Migration Agency rarely receives individual guarantees from the Greek authorities. If individual guarantees are not obtained, Sweden assumes responsibility for examining the application after the six months have passed.¹⁶²

2.7. The situation of Dublin returnees

Dublin returnees with a final negative decision in Sweden are normally taken into custody on arrival and measures are taken to facilitate their removal. If their case is still pending in Sweden and there is no final negative decision, then they are placed in an accommodation centre near a point of departure and continue the procedure in their ongoing case.

During 2018, the Aliens Act was amended concerning responsibility for the reception of Dublin returnees which means that the police authority takes over the responsibility from the Swedish Migration Agency

¹⁶⁰ SMA, *Överföringar till Ungern i enlighet med Dublinförordningen*, RS/010/2022, 11 November 2022, available in Swedish [here](#).

¹⁶¹ Statistics provided by the Migration Agency's statistical unit in April 2026.

¹⁶² Information provided by the Migration Agency's statistics unit.

regarding the reception of persons who have been accepted in accordance with the Dublin Regulation when there is a legally enforceable decision on cancellation or expulsion.¹⁶³

Transfers to Sweden for “take back” cases with a legally enforceable removal order in Sweden are not automatically provided with accommodation by the Swedish Migration Agency or the Police on arrival if they are unwilling to return voluntarily to their home country. This applies also to families with children. Since the changes to the Law on the Reception of Asylum Seekers (LMA) in 2016 only families with minor children can be allowed to stay in this accommodation while the removal order is pending and after the period for voluntary return has passed. Families who leave this accommodation for another EU country and are returned according to the Dublin Regulation have no right to re-access accommodation from the Migration Agency.

3. Admissibility procedure (“Track 5B” and “Track 5C”)

3.1. General (scope, criteria, time limits)

According to Chapter 5, Section 1b of the Aliens Act, an application can be dismissed as inadmissible where the applicant:

1. Has obtained international protection in another EU Member State;
2. In a country that is not an EU state has been recognised as a refugee or has equivalent protection, if the applicant will be admitted to that country and is protected from persecution and from being sent to another country where he or she risks persecution, or
3. Can be sent to a country where he or she does not risk persecution, death penalty, corporal punishment, torture, or other inhuman or degrading treatment or punishment, is protected from being sent to another country where he or she does not have equivalent protection, has the opportunity to apply for refugee protection, and has such a connection to the country in question that it is reasonable for him or her to travel there.

In practice, the Swedish Migration Agency deals with cases of persons benefitting from protection in another EU country under “Track 5B”. Cases concerning third countries are processed under “Track 5C”. The Swedish Migration Agency shall take a decision on the admissibility of the application within 3 months. In 2025 the Swedish Migration Agency received 156 applications that were processed under Track 5B and 3 applications were processed under Track 5C. 169 decisions were taken under Track 5B and 4 decisions taken under track 5C.¹⁶⁴ There is no time limit from the Swedish Migration Agency to process these cases.

3.2. Personal interview

Indicators: Admissibility Procedure: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the admissibility procedure?
 Yes No
❖ If so, are questions limited to nationality, identity, travel route? Yes No
❖ If so, are interpreters available in practice, for interviews? Yes No
2. Are interviews conducted through video conferencing? Frequently Rarely Never

There are no differences in the practical way the personal interview is conducted in cases where grounds for inadmissibility exist. Applicants are afforded the same two interviews as in the [Regular procedure](#). However, there are differences in the actual questions asked if the Swedish Migration Agency does not

¹⁶³ Chapter 10, Section 13 Aliens Act.

¹⁶⁴ Information provided by the Migration Agency's statistics unit in January 2026.

intend to process the asylum case in Sweden. During the interview, they will be asked about their health status to assess any medical needs they may have. Additionally, questions about their family situation may be posed to understand if they have relatives in Sweden or other European countries, which could influence the decision on where their application is processed. Furthermore, details about their journey to Sweden will be explored to determine if they have travelled through other European countries or if they have applied for asylum elsewhere.

The applicant will have one opportunity to say what they think about their application potentially being assessed in another country. The interview is their only opportunity to talk to the Swedish Migration Agency and say why they think their application should be assessed in Sweden.

Following an interview with the Swedish Migration Agency, where questions regarding the applicant's health, family, and journey to Sweden are addressed, the Swedish Migration Agency will evaluate if any new information emerged that could lead to their application being processed in Sweden. If not, a request for transfer to the country responsible for the asylum investigation will be sent. If the Swedish Migration Agency determines that the applicant's application should be processed in another country, they will receive an appointment where the decision will be communicated to them. At this stage, they will be informed of their right to appeal against the decision within three weeks. Additionally, they have the option to request that the transfer be halted while awaiting a decision from the court.

3.3. Appeal

Indicators: Admissibility Procedure: Appeal

Same as regular procedure

1. Does the law provide for an appeal against an inadmissibility decision?

- | | | |
|--|--|--|
| ❖ If yes, is it | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ If yes, is it automatically suspensive | <input checked="" type="checkbox"/> Judicial | <input type="checkbox"/> Administrative |
| | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Some grounds <input type="checkbox"/> No |

The Swedish Migration Agency may take a decision with immediate enforcement for applications dismissed on the basis of protection in another EU Member State or the first country of asylum concept; not for safe third country cases.¹⁶⁵

Therefore, the appeal has automatic suspensive effect in cases dismissed on safe third country grounds, but not in cases concerning protection in another EU Member State and in first country of asylum cases. That said, the April 2021 legal opinion of the Swedish Migration Agency suggests that in first country of asylum cases a decision with immediate enforcement should be taken only when it is obvious that the applicant enjoys sufficient protection in the country concerned.¹⁶⁶ However if the decision on expulsion is appealed, the migration court responsible for reviewing the appeal shall consider whether the enforcement of the expulsion decision should be temporarily suspended (inhibition). The decision on expulsion may not be enforced until this review has been conducted.¹⁶⁷

¹⁶⁵ Chapter 8, Section 19 Aliens Act.

¹⁶⁶ Migration Agency, *Rättsligt ställningstagande angående avvisning av ansökan om uppehållstillstånd med stöd av 5 kap. 1 b § utlänningslagen*, RS/065/2021 (version 2.0), 13 mars 2025, available in Swedish [here.](#), p. 9.

¹⁶⁷ Chapter 12, Section 8a Aliens Act.

3.4. Legal assistance

Indicators: Admissibility Procedure: Legal Assistance

Same as regular procedure

1. Do asylum seekers have access to free legal assistance during admissibility procedures in practice?
 Yes With difficulty No
❖ Does free legal assistance cover:
 Representation in interview
 Legal advice

2. Do asylum seekers have access to free legal assistance on appeal against an inadmissibility decision in practice?
 Yes With difficulty No
❖ Does free legal assistance cover:
 Representation in courts
 Legal advice

As a rule, legal assistance is not granted in cases falling under the grounds for inadmissibility, unless a more thorough assessment of first country of asylum or safe third country considerations is required. Such an assessment is conducted by the Swedish Migration Agency depending on the difficulty of the case. However, legal assistance is always granted to unaccompanied children and may exceptionally be granted to applicants depending on factors such as age or mental illness.¹⁶⁸

3.5. Suspension of returns for beneficiaries of protection in another Member State

There are no suspensions of returns of beneficiaries of protection to other Member States.

4. Border procedure (border and transit zones)

There is no border procedure in Sweden.

5. Accelerated procedure (“Track 4”)

5.1. General (scope, grounds for accelerated procedures, time limits)

The law makes no express reference to “accelerated procedures”. However, the Swedish Migration Agency has established a dedicated track for two categories of cases:

- ❖ Manifestly unfounded claims (“Track 4A”) and
- ❖ Claims from nationalities with a recognition rate below 15% (“Track 4B”). The countries currently listed are: Albania, Algeria, Armenia, Bolivia, Bosnia and Herzegovina, Brazil, Chile, Cuba, Georgia, India, Israel, Kosovo, North Macedonia, Mexico, , Moldova, Mongolia, Peru, Serbia, South Africa, Thailand, USA, and Vietnam.¹⁶⁹

In 2025, 124 cases were decided on after having been processed under Track 4A, manifestly unfounded, and 481 cases were decided on after having been processed under Track 4B.¹⁷⁰

Under the Aliens Act, there is a basis for handling manifestly unfounded claims in an accelerated procedure. The Swedish Migration Agency may issue an immediately enforceable return order “if it is obvious that there are no grounds for asylum and that a residence permit is not to be granted on any other grounds.”¹⁷¹ Vulnerable groups are not exempted from the accelerated procedure.

¹⁶⁸ Migration Agency, *Rättsligt ställningstagande angående avvisning av ansökan om uppehållstillstånd med stöd av 5 kap. 1 b § utlänningslagen*, RS/065/2021 (version 2.0), 13 mars 2025, available in Swedish [here](#). p.11

¹⁶⁹ The Swedish Migration Agency, VÄGLEDNING Lista över länder och lägsta idkategorisering för sortering i spår 4B Dnr: 1.2.2.2-2024-6176, 7 May 2021, revised 22 April 2024.

¹⁷⁰ Statistics provided by the Migration Agency's statistical unit in January 2026.

¹⁷¹ Chapter 8, Section 19 Aliens Act. See also Chapter 12, Section 7 Aliens Act.

The Migration Court of Appeal has ruled that the requirement of “*manifestly* unfounded” involves the ability to make a clear assessment regarding the right to a permit without any further examination.¹⁷² The assessment should not be summary, by being solely based on the circumstance that the applicant has a certain nationality to which normally asylum is not being granted, for instance. The assessment of “manifestly” must always be based on the circumstances of the individual case.

In the CJEU ruling in *A v Migrationsverket*,¹⁷³ published on 25 July 2018, which concerns the interpretation of Articles 31(8)(b) and 32(2) of the recast Asylum Procedures Directive, the CJEU held that a Member State cannot rely on the rebuttable presumption under Articles 36 and 37 of the recast Asylum Procedures Directive in respect of the safe country of origin concept and subsequently find the application to be manifestly unfounded in accordance with Article 31(8)(b) without having fully implemented and complied with the procedures under the Directive relating to the designation of countries as safe countries of origin.

After the CJEU ruling in *A v Migrationsverket*, Sweden could no longer use the procedure for immediately expelling persons with manifestly unfounded claims on the basis that the applicant comes from a safe country of origin, since Swedish national legislation did not include a list of safe countries of origin established in accordance with Annex I to the recast Asylum Procedures Directive duly notified to the Commission and the enactment of additional implementation rules and modalities. This changed in 2021 when Sweden introduced new legislation regarding asylum applications from persons from Safe Countries of Origin (see further information under [Safe Countries of Origin](#)).

A 2021 legal instruction by the Legal Unit of the Swedish Migration Agency¹⁷⁴ established that an expulsion with immediate effect should be considered in the following cases:

- ❖ The application is unrelated to the right of asylum;
- ❖ The application presents manifestly insufficient grounds for asylum;
- ❖ EU citizens and persons from safe countries of origin applying for asylum;
- ❖ The applicant has provided false information in all essential elements;
- ❖ If only health reasons are claimed.

Extenuating circumstances leading to access to the full procedure could be health reasons or cumulative grounds. The Swedish Migration Agency has updated its position on expulsion in such cases with immediate effect in its legal guidance, including in light of the abovementioned CJEU ruling in *A v Migrationsverket* as well as *Gnandi*.¹⁷⁵ The Swedish Migration Agency states in its guidance that the deadline for voluntary departure does not begin to run as long as the person has the right to remain and the person must also not be detained for removal purposes.

The time limit for a decision under the accelerated procedure is three months in all cases. If the time limit has not been respected the case will be dealt with in the regular procedure.

¹⁷² Migration Court of Appeal, MIG 2006:7, UM 230-06, 31 October 2006; MIG 2010:22, UM 2244-10, 22 December 2010.

¹⁷³ CJEU, *A v. Migrationsverket*, Case C-404/17, Judgment of 25 July 2018, EDAL, available [here](#).

¹⁷⁴ Migration Agency, *Rättsligt ställningstagande angående avvisning med omedelbar verkställighet till hemlandet inklusive säkra ursprungsländer*, RS/071/2021, 25 maj 2021, available in Swedish [here](#).

¹⁷⁵ CJEU, *Gnandi v Etat belge*, C-181/16, 19 June 2018, EDAL, available at <https://bit.ly/2ITsDwX>.

5.2. Personal interview

Indicators: Accelerated Procedure: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum seeker in most cases conducted in practice in the accelerated procedure?
 Yes No
❖ If so, are questions limited to nationality, identity, travel route? Yes No
❖ If so, are interpreters available in practice, for interviews? Yes No
2. Are interviews conducted through video conferencing? Frequently Rarely Never

A personal interview is mandatory, as per a guideline decision of the Migration Court of Appeal.¹⁷⁶ There are no differences in the way the interview is carried out compared with the [Regular Interview](#) apart from the absence of a legal representative. During the interview the applicant is informed that their case is processed as a track 4 case and what it entails.¹⁷⁷

5.3. Appeal

Indicators: Accelerated Procedure: Appeal

Same as regular procedure

1. Does the law provide for an appeal against the decision in the accelerated procedure?
 Yes No
❖ If yes, is it Judicial Administrative
❖ If yes, is it suspensive Yes Some grounds No

There is no difference in time limits for lodging appeals under the accelerated procedure compared to the regular procedure (see [Regular Appeal](#)). The same time limit of three weeks after the decision is notified applies.¹⁷⁸

After the change to Chapter 12 Section 8a in the Alien Act in 2021, the law provides that an appeal has automatic suspensive effect until the Migration Court has made a decision on whether the removal should be suspended pending the outcome of the appeal.¹⁷⁹

The 2021 guidance of the Swedish Migration Agency clarifies that when appealing against decisions with immediate enforcement, a Migration Court must examine the issue of suspending enforcement. Enforcement cannot take place from the decision during the appeal process and up to the Migration Court's examination of the issue of suspension, nor can enforcement measures be taken.¹⁸⁰

¹⁷⁶ Migration Court of Appeal, MIG 2007:4, UM 607-06, 22 January 2007.

¹⁷⁷ Observation based on practice by the Swedish Refugee Law Center

¹⁷⁸ Section 44, The Administrative Procedure Act (2017:900).

¹⁷⁹ Chapter 12, Section 8a Aliens Act.

¹⁸⁰ Migration Agency, *Rättsligt ställningstagande angående avvisning med omedelbar verkställighet till hemlandet inklusive säkra ursprungsländer*, RS/071/2021, 25 May 2021, available in Swedish [here](#).

5.4. Legal assistance

Indicators: Accelerated Procedure: Legal Assistance

Same as regular procedure

1. Do asylum seekers have access to free legal assistance at first instance in practice?
 Yes With difficulty No
❖ Does free legal assistance cover:
 Representation in interview
 Legal advice
2. Do asylum seekers have access to free legal assistance on appeal against a decision in practice?
 Yes With difficulty No
❖ Does free legal assistance cover
 Representation in courts
 Legal advice

The Aliens Act states that there is no automatic obligation to provide legal counsel in manifestly unfounded cases, although this is possible in cases of vulnerability.¹⁸¹ However, if the court is of the opinion that the case is not manifestly unfounded, then the court will order the suspension of the expulsion order and legal counsel will be appointed. Such a case is referred back to the first instance if there is not sufficient information regarding material grounds for a permit to be granted. The difficulties with regard to access to legal assistance in the regular procedure are also applicable here (see [Regular Procedure: Legal Assistance](#)).

6. National protection statuses and return procedure

National forms of protection

Swedish national legislation provides forms of protection for individuals who do not qualify for international protection but still face significant risks or have strong humanitarian ties to Sweden. These mechanisms, governed by the Alien Act ensure that Sweden upholds its commitment to human rights and international obligations.

During the asylum process, if a residence permit cannot be granted on other grounds based on protective reasons, a resident permit may be issued to a foreign national if, based on an overall assessment of the foreign national's situation, there are particularly compelling reasons why he or she should be allowed to stay in Sweden.¹⁸² In the assessment, special consideration shall be given to the foreign national's health condition, integration into Sweden, and situation in their home country.

Children may be granted a residence permit even if the circumstances presented do not carry the same level of seriousness and weight as required for granting a permit to adults.¹⁸³

A residence permit granted under this section is temporary and valid for thirteen months. Each new temporary residence permit granted thereafter is valid for two years. And an application for a permanent residence permit may, upon the expiration of the validity period of a residence permit, be granted if the foreign national has held a temporary residence permit for at least three years and the conditions are met.¹⁸⁴

There is also a possibility to be granted a temporary residence permit if there is an obstacle, which is not permanent, to the enforcement of a removal or expulsion decision.¹⁸⁵ Two common grounds for granting

¹⁸¹ Chapter 18, Section 1 Aliens Act. There do not seem to be particular fixed criteria of vulnerability in which legal counsel is "automatically" given, rather it is a case by case assessment: Swedish Refugee Law Center and UNHCR, *Rättssäkerheten och säkra ursprungsländer – En granskning av Migrationsverkets tillämpning av de nya bestämmelserna*, December 2022, available in Swedish [here](#).

¹⁸² Chapter 5, Section 6 Alien Act

¹⁸³ Chapter 5, Section 6 Alien Act.

¹⁸⁴ See Chapter 5 Alien Act.

¹⁸⁵ Chapter 5, Section 11 Alien Act.

a residence permit in accordance with Chapter 5, Section 11 of the Aliens Act are, first, that the individual has been excluded from the right to asylum, yet there is an impediment to enforcing the deportation order due to the risk of persecution upon return. Alternatively, it has been established that there is a practical obstacle preventing the individual from returning to their country of origin, although the circumstances could change in the foreseeable future.

The Aliens Act also contains Chapter 12, which addresses situations where an individual has already received a deportation order but afterwards may have grounds to be granted a residence permit. In such cases, a residence permit may be granted either under the provisions of Chapter 12 or by allowing the individual a new examination, which could subsequently result in being granted a protection status. The Swedish Migration Agency can always examine protection grounds *ex officio*, and therefore it is not always required that the individual invokes protection grounds themselves.

In accordance with Section 1 the enforcement of a removal or expulsion order against a foreign national may never take place if there are reasonable grounds to believe that the individual would be at risk of being sentenced to death, subjected to corporal punishment, torture, or other inhuman or degrading treatment or punishment. Additionally, removal cannot be enforced if the person is not protected from being transferred to another country where they would face such risks.¹⁸⁶

Based on Section 2, a foreign national may also not be removed to a country where they are at risk of persecution or where they are not protected from being transferred to another country where they would face such a risk. However, an individual may be sent to such a country if it is not possible to enforce the expulsion or deportation to any other country and the individual has shown through a particularly serious crime that allowing the person to remain in Sweden would be associated with a serious danger to public order and security. This does not apply, however, if the persecution that threatens in the other country involves a danger to the individual's life or is otherwise of a particularly serious nature. Similarly, an individual may be sent to such a country if the person has conducted activities that have posed a danger to the security of the Swedish realm and there is reason to assume that the individual would continue the activities in this country, and it is not possible to send the individual to any other country.¹⁸⁷

As stated in Section, 3 in cases of armed conflict, the removal or expulsion of a foreign national may not be enforced to their home country or to a country where they risk being transferred to their home country if there are exceptional reasons against such enforcement.¹⁸⁸

The Swedish Migration Agency is required to consider all potential grounds for protection, including national forms, during the asylum process and in appeals. Even after a final rejection, individuals can submit new evidence or circumstances (e.g., changes in their home country or personal situation) to request a reassessment of their expulsion decision.

In accordance with Section 18, the Swedish Migration Agency may grant a residence permit if, in the enforcement of a final decision on refusal of entry or expulsion, new circumstances arise that mean that:

1. There is an impediment to enforcement under Sections 1, 2, or 3,
2. There is reason to believe that the intended receiving country will not be willing to accept the foreign national, or
3. There are medical obstacles or other special reasons why the decision should not be enforced.

The Swedish Migration Agency may also decide on a suspension of enforcement (inhibition) while trying the case.

¹⁸⁶ Chapter 12, Section 1 Alien Act.

¹⁸⁷ Chapter 12, Section 2 Alien Act.

¹⁸⁸ Chapter 12, Section 3 Alien Act.

Children may be granted a residence permit under point 3 above even if the circumstances that have arisen are not as serious or compelling as those required for an adult to be granted a permit. When assessing under point 3 whether there is another special reason why a decision should not be enforced, particular consideration must be given to the consequences for a child of being separated from a parent, provided that it is clear that a residence permit due to strong ties would have been granted if the assessment had been made before the entry into Sweden.

People with a residence permit in Sweden have access to accommodation, work, and social services in Sweden, but people with a refugee status enjoy a broader and more secure set of rights, including stronger family reunification rights and an earlier possibility of permanent residency. Those with other statuses may face more temporary or conditional protection, and their family reunification rights are more limited. To be granted a residence permit based on family ties to a person in Sweden, that person must be able to support themselves, other members of the household, and the family members applying for a residence permit. They must also have a home of sufficient size and standard for everyone to live in. However, if the person has a residence permit with refugee status, and the family applies for family reunification within three months from when the refugee was granted the permit in Sweden, and it is not possible to reunite in a country outside the EU the maintenance and housing requirements do not apply.

People who are granted a residence permit based on temporary impediments to the enforcement of a deportation order are generally issued a permit valid for only twelve months. As a result, they are not entitled to register in the Swedish population register and therefore face restrictions in access to certain social and economic rights.

In order to ensure that Sweden does not deport individuals in violation of human rights, specific rules exist to address obstacles to enforcement — that is, circumstances that prevent the implementation of a final decision on refusal of entry or expulsion. Such obstacles arise when new circumstances come to light after the decision has been finalized, making deportation either impossible or impermissible. Examples include changes in the political conditions of the home country, a deterioration in the individual's health that renders travel unfeasible, or significant changes in family circumstances.¹⁸⁹

However, invoking these obstacles is challenging. The requirements are high, and the technical nature of the information often makes it difficult for applicants to understand what is needed. The burden of proof rests on the applicant, and without legal assistance, meeting these demands can be particularly arduous. Consequently, the high thresholds for granting a stay of execution often result in deportation decisions remaining in force.

If a residence permit decision cannot be granted pursuant to Section 18, the Swedish Migration Agency shall refer the matter for a new examination if the foreign national, in an enforcement case of a final decision on refusal of entry or expulsion, invokes new circumstances that (1) can be presumed to constitute a lasting impediment to enforcement as referred to in paragraph 1, 2, or 3, and (2) have not been previously invoked by the foreign national — or if the foreign national provides a valid reason for not having invoked such circumstances earlier.¹⁹⁰

If these conditions are not met, the Swedish Migration Agency shall decide not to grant a new examination. The provisions of the first paragraph shall not apply if the foreign national applies for a residence permit as a refugee under Chapter 4, Section 1 or as an alternative beneficiary of international protection under Chapter 4, Section 2, and such an application has not previously been examined by a final decision during the foreign national's stay in Sweden. In that case, the Swedish Migration Agency shall examine the application and decide on a suspension of enforcement (inhibition) in the enforcement case.

¹⁸⁹ Chapter 12, Section 18 Alien Act.

¹⁹⁰ Chapter 12, Section 19 Alien Act.

Return procedure

In Sweden, the asylum procedure and the return procedure are closely linked. If an asylum application is rejected, the Swedish Migration Agency typically issues a return decision at the same time. This joint issuance ensures that rejected applicants are informed of their obligation to leave Sweden, either voluntarily or under enforcement. Applicants have the right to appeal both the asylum rejection and the return decision together to the Migration Courts. The appeal must be submitted within three weeks of the decision. The return decision is automatically suspended during the appeal process, meaning deportation cannot be enforced while the case is under review.

In 2025, the Swedish Migration Agency received 5,037 appealed decisions in asylum cases. An appeal is initially sent to the Swedish Migration Agency, which reconsiders the decision. If the agency upholds its rejection decision, the appeal is then forwarded to one of the Migration Courts. The Migration Agency did not change its decision in any of the 5,037 cases and therefore forwarded all cases to the Migration Court.¹⁹¹

In 2025, there were 3,398 decisions made under Chapter 12, Section 18 of the Aliens Act regarding impediments to enforcement. Of these, 2,951 were rejections and 447 were approvals. In 94% of the approved cases, the ground for granting was classified as “other special reason”. It is therefore difficult to draw conclusions as to the underlying grounds.¹⁹²

D. Guarantees for vulnerable groups

1. Identification

Indicators: Special Procedural Guarantees

1. Is there a specific identification mechanism in place to systematically identify vulnerable asylum seekers?
 Yes For certain categories No
❖ If for certain categories, specify which: Unaccompanied children
2. Does the law provide for an identification mechanism for unaccompanied children?
 Yes No

The legal framework with regard to the needs of vulnerable asylum seekers is part of the 1994 Law on the Reception of Asylum Seekers (LMA). The LMA provides the legal framework and briefly mentions the provision for the needs of vulnerable groups. These are not defined but the Swedish Migration Agency has set out guidelines, routines, for the reception of vulnerable asylum seekers, mainly including minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation¹⁹³ (see [Reception Conditions](#)).

1.1. Screening of vulnerability

All asylum seekers are offered health screening and in practice a majority of them choose to undergo a health check. This is particularly important in relation to survivors of torture and traumatised persons. However, because of confidentiality rules, this information is not automatically available to caseworkers. The legal counsel can however request access to this information with the permission of the applicant.

¹⁹¹ The Swedish Migration Agency's monthly report December 2025 (månrapport2512) p. 21.

¹⁹² Information provided by the Migration Agency's statistics unit in January 2026.

¹⁹³ Swedish Migration Agency, *Rutin: Ta ställning till särskilda behov, initialt* and *Rutin: Insatser för asylsökande med särskilda behov*, Special procedures are also in place to identify and deal with gender-based violence, human trafficking or child abuse. The Swedish Migration Agency has issued a legal position on age assessments, which among other things addresses issues of the evaluation of evidence.

The Swedish Migration Agency does not yet collect disaggregated statistics on the number of asylum seekers identified as vulnerable, with the exception of unaccompanied minors.¹⁹⁴ Under the routine mentioned above, all staff are required to report vulnerabilities in an official note that is fed into a common database, mentioning at which stage in the procedure vulnerability is observed and what measures this has led to. It is stressed that a vulnerability assessment must always be made in the initial process.

This routine is monitored by the Swedish Migration Agency to evaluate whether assessments of special needs have been made in all cases, how the documentation of these needs has been recorded and what measures have resulted from the assessment. It is noted in the guideline that the list of vulnerabilities in the EU Directives is not exhaustive. Some special needs need not be registered in an official note. Examples of these are when the Swedish Migration Agency notifies the need for a guardian or informs a municipality that an unaccompanied child needs protection there, or the response of an applicant who has requested a case officer, interpreter or public counsel of a specific gender.

In the latest review of Sweden, the Group of Experts on Action against Trafficking in Human Beings (GRETA), criticized Sweden for, among other things, shortcomings in the identification of victims of human trafficking. Moreover, Sweden has been urged, *inter alia*, to review the application of the Dublin Procedure to presumed victims of trafficking in human beings and to conduct risk assessments in order to prevent that such victims are returned to the country where they face the risk of being re-trafficked.¹⁹⁵

The Swedish Migration Agency stated in its Annual Report for 2024 that one of the most prioritized issues during the year was the increased identification, in the agency's processes, of suspected victims of human trafficking. External collaboration was described as highly prioritized.¹⁹⁶

In the Annual Report for 2025, the Swedish Migration Agency stated that a follow-up of the work in 2024 was published and a number of activities initiated to strengthen the ability to identify suspected human trafficking. It was stated that the results of these activities will be reported in the coming years. The agency has also continued its work on measures in response to the latest review report from the Council of Europe's GRETA. Among other things, a review has been carried out of cases handled under the Dublin Regulation. The report recommends a review of the processing support in order to ensure that the Dublin management is carried out with regard to a perspective focused on rights. During the year, the Swedish Migration Agency continued to work closely with the Swedish Gender Equality Agency, the Swedish Police Authority and the National Board of Health and Welfare.¹⁹⁷

In 2025, 654 cases of suspected human trafficking were identified at the Swedish Migration Agency, including 256 women and 398 men. 15 were children, out of which 4 girls and 11 boys¹⁹⁸. The Swedish Migration Agency provided information to the regional coordinators at the Gender Equality Agency and to the Police Authority. The Swedish Migration Agency does not always require the consent of the applicant to do so.¹⁹⁹ In 119 cases the applicant gave consent and the Swedish Migration Agency has reported to the Police Authority on 232 occasions. A police report can include several potential victims.

¹⁹⁴ Information provided by the Swedish Migration Agency, January 2018.

¹⁹⁵ GRETA, Evaluation report, Sweden, *Third evaluation round, Access to justice and effective remedies for victims of trafficking in human beings* (2023), available [here](#). Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings, Recommendation CP/Rec (2023)11 on the implementation of the Council of Europe, Convention on Action against Trafficking in Human Beings by Sweden, adopted at the 33rd meeting of the Committee of the Parties on 15 December 2023, available [here](#).

¹⁹⁶ Swedish Migration Agency, *Annual Report 2024*, Dnr: 1.3.2-2025-1844, available in Swedish [here](#).

¹⁹⁷ Swedish Migration Agency, *Annual Report 2025*, Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).

¹⁹⁸ Swedish Migration Agency, *Annual Report 2025*, Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#)

¹⁹⁹ Information provided by the Swedish Migration Agency, 2023.

According to Chapter 5 Section 15 of the Aliens Act a temporary residence permit should be granted to witnesses upon the investigative leader's request. In 2025, a total of 91 persons were granted such temporary residence permits, out of which 38 women and 53 men.²⁰⁰

1.2. Age assessment of unaccompanied children

The Migration Court of Appeal clarified in a precedent-setting ruling of 2014 that the burden of proof lies with the applicant to establish their stated age as probable, with the aid of supporting documents, where available.²⁰¹ Where documents or other evidence proving the applicant's age as probable are not available, the age stated at the time of lodging of the application is noted down.

If there are strong indications that the applicant has reached majority, then the claimed age can be altered in the records and the person transferred to the procedure for adults. These assessments made by the Swedish Migration Agency have been subject to criticism, as reported in [previous versions of this AIDA report](#). In a legal position regarding age assessments, the Swedish Migration Agency clarifies that it can only be applied in unambiguously clear cases, where there is no room for a different assessment than that the applicant is an adult.²⁰² It must be obvious that the applicant is an adult, or that there is evidence proving the applicant's age, otherwise the age should not be altered.

An applicant can make their date of birth and/or minority probable. When there is a doubt on the minority (but not obvious as mentioned above) the Aliens Act foresees that the Swedish Migration Agency must make a temporary decision on the age.²⁰³ In the legal position the Swedish Migration Agency states that the starting point is that such an age assessment should primarily be made on the basis of documentary evidence together with the applicant's own oral information. Documentary evidence can in some cases be considered to have low evidentiary value because the authorities consider them easy to falsify, or because they are based on oral statements. If this evidence is not sufficient and the Swedish Migration Agency therefore considers making a decision whereby the applicant is assessed to be an adult, the Agency is obliged to offer the applicant a medical age assessment.²⁰⁴ Consent of the applicant and their guardian is required. A refusal of consent to a medical age assessment without an acceptable reason may have the consequence that the applicant is assessed to be 18 years of age or older. The cost of such an examination is borne by the State.

The temporary decision on the age of the applicant can be appealed but applies immediately even if it is appealed. However, the Migration Court may decide that a temporary decision will not apply until further notice. At the same time, when the Swedish Migration Agency takes a decision regarding the asylum claim, it must make a final assessment of the applicant's age. The consideration of the applicant's age in the decision in the asylum case replaces the temporary decision on age.

Any authority that comes into contact with unaccompanied asylum-seeking children needs to take an independent position on the applicant's age within the framework of its activities and the rules governing it.

Medical methods used

The National Board of Forensic Medicine (*Rättsmedicinalverket*, RMV) is responsible for medical age assessments. Assessments are conducted based on medical examination of wisdom teeth and knee joints. RMV's medical age assessments to determine whether a person is under or over 18 years are

²⁰⁰ Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#)

²⁰¹ Migration Court of Appeal, MIG 2014:1, UM 2437-13, 11 February 2014, available at: <http://bit.ly/2jQwVWr>.

²⁰² Swedish Migration Agency, *Rättsligt ställningstagande Åldersbedömning*, RS/040/2021, citing Government, prop. 2016/17:121, *Åldersbedömning tidigare i asylprocessen*, available in Swedish [here](#), pp 17-18.

²⁰³ Chapter 13, Section 17, Aliens Act.

²⁰⁴ Chapter 13, Section 18, Aliens Act.

based on an overall assessment of two studies: X-ray irradiation of wisdom teeth (panoramic image), and an MRI of the lower part of the femur. Scanning and two independent analyses of the respective images will be made by external clinics. Based on the results of these studies, RMV makes a medical age assessment using a standardised matrix. A coroner in RMV will then issue a forensic opinion on the age in the form of a probability assessment in text form. The forensic opinion is thus designed as a probability assessment.

The statement from RMV will then become part of the supporting evidence that the Migration Agency uses to issue a decision on age.

Medical age assessments				
	2024		2025	
Forensic opinions on age by the National Board of Forensic Medicine	Male	Female	Male	Female
Total	51	18	26	4
Strongly indicates that the person is 18 or over	7		N/A	N/A
Indicates that the person is 18 or over	30	3	N/A	N/A
Possibly indicates that the person is under 18	8	1	N/A	N/A
Possibly indicates that the person is 18 or over	6		N/A	N/A
Indicates that the person is under 18		0	N/A	N/A
No assessment if person is over or under 18 could be made		14	N/A	N/A

Source: National Board of Forensic Medicine, *Statistik*, available in Swedish [here](#).

Critique on reliability and accuracy

As reported in previous AIDA reports, the methods used for age assessments have been heavily criticised by the medical community, including by the experts obliged to carry out the tests. Both the Paediatric Medical Association, as well as international experts on age assessment, have distanced themselves from the method of measuring the knee joint. Background information on the matter is included in the [previous versions of this AIDA report](#).

In January 2020, the Swedish Bar Association elaborated on their position from 2016 in their guidance to lawyers representing vulnerable clients. It was *inter alia* stated that a lawyer's involvement in the client's age assessment is at risk of being considered contrary to good practice, but that the situation is complex, as the client's refusal to undergo a medical age assessment may, for example, risk being interpreted to the client's detriment. Great caution is required in these cases and advice from the lawyer on participation must be preceded by careful consideration and explanations for the client and a possible legal guardian.²⁰⁵

As mentioned in the [previous AIDA report](#), age assessment procedures have also been litigated before courts.

As mentioned in the [previous AIDA report](#), after several critiques by the Swedish Council on Medical Ethics, the Council of Europe Commissioner for Human Rights, NGOs and lawyers, it was decided that a commission of inquiry was to assess the situation through an independent review. The national inquiry

²⁰⁵ Swedish Bar Association, *Promemoria Advokatens uppdrag för svaga och utsatta klienter*, updated January 2020, 35-36, available in Swedish [here](#).

published its first findings in an interim report on 28 October 2021.²⁰⁶ The Inquiry stated initially that in a European context, RMV's method is unique. It is the only method to include an MRI of the knee as part of the assessment. The Inquiry concluded that there are uncertainties in RMV's probability model. Furthermore, RMV's estimated percentages are subject to uncertainty. In December 2022, the (new) Swedish government decided that the inquiry should be discontinued. The decision to discontinue the inquiry has been criticised by several organisations, including the Swedish Refugee Law Center.²⁰⁷

RMV published an updated methodological description on 5 September 2022, containing a more comprehensive account of uncertainties and factors affecting the model. The basis for assessment or the form of statements was not changed.²⁰⁸

The RMV has updated the model used in the asylum process to more closely resemble the one used in criminal cases when it comes to the assessment of wisdom teeth. In the asylum process, the RMV has so far only assessed whether the wisdom teeth have reached the final stage or not. As of 1 November 2024, the total staging of wisdom teeth will be used in all cases. According to the RMV, the model enables a more precise assessment of how the age of the person examined relates to the different age limits.²⁰⁹

2. Special procedural guarantees

Indicators: Special Procedural Guarantees

1. Are there special procedural arrangements/guarantees for vulnerable people? Yes For certain categories No
- ❖ If for certain categories, specify which: Unaccompanied children

2.1. Adequate support during the interview

Although there is no specialised unit dealing with vulnerable groups at the Swedish Migration Agency, the issue of special needs of vulnerable asylum seekers is mainstreamed in the training of caseworkers. The Swedish Migration Agency conducts internal training in conducting investigations with particularly vulnerable asylum seekers. However, these trainings are not mandatory.

The Swedish Migration Agency has developed training courses for caseworkers who interview children, *inter alia* based on EUAA training modules, and those who have completed this training are designated as case workers especially for unaccompanied children. The case officers who investigate children must have child rights competence and child competence. They should also have investigative experience and have completed relevant child-related training.

Training courses have been carried out and instructions issued in relation to women refugee claimants and claimants with LGBTQI+ claims.²¹⁰

The Swedish Migration Agency has guidelines and legal positions that apply to asylum investigations involving children, LGBTQI cases, persecution on the basis of gender, and suspected human trafficking. The Swedish Migration Agency has guidelines for handling children's cases, such as how interviews with parents and asylum investigations with children are to be conducted. The latter guideline provides guidance on what the Swedish Migration Agency needs to take into account when investigating children. Among other things, it addresses issues about the interpreter and the interview environment, how children's ability to recount can vary depending on age, what information should be given to the child, and

²⁰⁶ Swedish Government Official Report (2021) SOU 2021:84, *Granskning av Rättsmedicinalverkets metod för medicinsk åldersbedömning i asylprocessen*, Summary available in English [here](#).

²⁰⁷ Swedish Refugee Law Center, *Kommentar till nedlagd utredning om medicinska åldersbedömningar*, 19 January 2023, available in Swedish [here](#).

²⁰⁸ National Board of Forensic Medicine, 'Uppdaterad metodbeskrivning för medicinska åldersbedömningar', 5 September 2022, available in Swedish [here](#).

²⁰⁹ Rättsmedicinalverket - [Uppdaterad modell för medicinska åldersbedömningar - Rättsmedicinalverket](#).

²¹⁰ Information provided by the Migration Agency, February 2023.

appropriate ways to initiate the investigative conversation. There are also routines for handling cases of suspicion that a child is being harmed and for detecting whether a child is married or living in marriage-like conditions.²¹¹

The Swedish Migration Agency has published a legal position regarding the investigation and assessment of persecution based on gender related to women. The legal position provides guidance for the investigation and assessment of the risk of women who invoke persecution on the basis of gender, and addresses gender as a basis for refugee status, as well as other factors that are to be taken into account in the asylum investigation, such as confidentiality and the significance of trauma.²¹² The Swedish Migration Agency also has a procedure that provides support in how the Swedish Migration Agency should detect and handle cases where the applicant is subjected to gender-based violence.²¹³

On 20 October 2025, the Swedish Migration Agency published a legal comment to clarify how the judgment of the CJEU in case C-646/21 should be interpreted.²¹⁴ The legal comment provides guidance in the handling of cases concerning issues related to the assessment of membership of a particular social group and the examination of the best interests of the child.²¹⁵

The Swedish Migration Agency has published a legal position intended to provide guidance for the investigation and assessment of the forward-looking risk for individuals who invoke grounds for protection based on their actual or imputed sexual orientation, transgender identity, or gender expression.²¹⁶

Examples of measures given in an internal guideline regarding vulnerable applicants and applicants with special needs include prolonging the procedure to allow time for the applicant to put forward their claims; choosing a suitable residence for the applicant; as well as flagging medical care needs to the health authorities. It is stressed that employees of the Swedish Migration Agency should refrain from making any medical assessment but that they should note what the applicant states about their medical condition. If the applicant states that they have suffered torture, then the veracity of that statement must not be investigated by agency employees. A suitable measure in such cases can be to lengthen the time for the procedure and, if necessary, book a medico-legal investigation.²¹⁷

Persons with special needs are generally channelled in the regular procedure, in particular where there are indications that an age assessment is needed or indications of human trafficking, torture, or issues of sexual orientation or gender identity. If special reports are needed to verify trauma of various kinds, the Swedish Migration Agency can grant an extension of the normal procedure time to accommodate this need and to collect additional documentation.

The Swedish Migration Agency has developed a guideline for measures to be taken in the event of suspicion of human trafficking and cooperates with social services and the police. The Swedish Migration Agency has also produced support material for legal guardians.²¹⁸

²¹¹ Swedish Migration Agency; *Rutin: Genomföra barnfokuserat samtal*, *Rutin: Genomföra asylutredning med barn*, *Rutin: Anmäla till socialtjänsten vid kännedom eller misstanke om att barn far illa*, *Rutin: Identifiera och hantera ärenden där barn är gifta eller lever under äktenskapslika förhållanden*.

²¹² Swedish Migration Agency, RS/069/2021, available [here](#).

²¹³ Swedish Migration Agency, *Rutin: Upptäcka och hantera könsrelaterat våld*.

²¹⁴ CJEU, Judgment of 11 June 2024, available: [here](#).

²¹⁵ Swedish Migration Agency, Rättslig kommentar, EU-domstolens avgörande i mål C-646/21, RK/004/2025, available in Swedish [here](#).

²¹⁶ Swedish Migration Agency, Utredning och prövning av den framåtsyftande risken för personer som åberopar skyddsskäl på grund av sexuell läggning, könsöverskridande identitet eller könsuttryck, RS/015/2021, available in Swedish [here](#).

²¹⁷ Swedish Migration Agency, *Rutin: Ta ställning till särskilda behov, initialt* and *Rutin: Insatser för asylsökande med särskilda behov*.

²¹⁸ Swedish Migration Agency, 'Människohandel. Information till dig som är god man för ensamkommande barn.'; available in Swedish [here](#).

New caselaw relating to procedural guarantees

The Migration Court of Appeal ruled in May 2022 in case MIG 2022:4,²¹⁹ that the Migration Court's investigative responsibility becomes relevant when the appellant has communication difficulties which may have affected both the appellant's ability to explain his reasons for asylum and the assessment of the appellant's credibility. The appellant in the case was deaf and his sign language was very limited.

Vulnerability questions pertaining to children

Children do not have the legal capacity to submit an individual application. An application for residence permit/international protection must be submitted by a person with the legal capacity to represent the child, such as parents/legal caregivers or in the case of an unaccompanied minor, a legal guardian. Children have the right to have their asylum claims examined individually. The child has a right to be heard, but no obligation. The case officers who investigate children must have child rights competences and child-related competences as well as have investigative experience and have completed relevant child training. For the Swedish Migration Agency to be able to hold an investigative interview with a child, the child must want to talk to the Swedish Migration Agency themselves. Children are asked if they want to talk to the case officer and if the child wants this to happen without the presence of the parents/legal guardians. It is also required that the parents/guardians have given their consent for the Swedish Migration Agency to talk to the child. The Swedish Migration Agency must inform the parents, as well as the children, that children may have specific grounds for protection, the child's right to express his or her views and the Swedish Migration Agency's obligation to investigate the child's case individually. The consent of at least one of the guardians is required in order to hear a child. Children have, as mentioned above, the right to be heard and the right to an individual assessment. However, as the Swedish Migration Agency needs the consent of the parents/legal caregivers to conduct an interview with a child, without consent, the child cannot be heard by the authorities. The requirement of parental consent for children's interviews can create barriers for children to disclose sensitive or individual asylum claims. If the Swedish Migration Agency considers that an accompanied child should be heard and there are conflicting interests, a legal guardian and a public counsel separate from that of the family can be appointed. The Swedish Migration Agency has published a legal position on conflicts of interest between children and the children's important adults, such as parents, legal guardians, and public counsels.²²⁰

In the situation where there is a conflict of interest, a legal guardian can be appointed according to the Parental Code section 11 paragraph 2. It is then the legal guardian and not the parents/caregiver that has the legal capacity to represent the child in the migration process. However, according to a recent national inquiry proposing, inter alia, that Sweden ratifies the Third Optional Protocol to the Convention on the Rights of the Child on a communication procedure, in practice this solution is insufficient.²²¹ The Inquiry has identified several shortcomings and problems that make it more difficult and sometimes impossible for children to exercise their rights. This include both procedural obstacles as well as shortcomings in terms of accessibility and information. The inquiry proposes several legal amendments to ensure the opportunity of children to exercise their rights under the CRC. The inquiry also suggests clarification of the child's right to be heard in the migration process.

Inquiries have identified that despite the explicit provision on the best interests of the child in the Aliens Act, assessments are often not based on the situation of the individual child. There are often references to statements in preparatory work rather than an evaluation of the best interest in the specific case.

²¹⁹ Migration Court of Appeal, Decision MIG 2022:4, 31 May 2022, available in Swedish [here](#).

²²⁰ Swedish Migration Agency; Rättsligt ställningstagande, *Motsättningar mellan asylsökande barn, god man, offentligt biträde och vårdnadshavare*, RS/060/2021, 21 April 2021, available in Swedish [here](#).

²²¹ Swedish Government Official Report SOU 2023:40, Förbättrade möjligheter för barn att utkräva sina rättigheter enligt barnkonventionen, 23 August 2023, available [here](#).

Several investigations and reports have also shown shortcomings in accompanied minors' right to be heard in asylum cases and having their claims assessed individually.²²²

On 1 January 2020, the UN Convention on the Rights of the Child (CRC) was incorporated into Swedish national law and entered into force.²²³ The government in the preparatory work stated that in addition to incorporation, continued incorporation of the CRC is required and highlighted the importance of the principle of the best interest of the child being used as a rule of procedure.²²⁴

Other than legislative measures, there have been developments to strengthen the rights of children. The Swedish Migration Agency published a legal position on the examination of the best interest of the child in June 2020.²²⁵ Sweden has recurrently received criticism from the UN Committee on the Rights of the Child regarding the provision in Chapter 1 Section 11 of the Aliens Act, which advises refraining from hearing a child if the authority deems it inappropriate. There has been no amendment in the legislation according to the Committee's recommendations. The Swedish Migration Agency, however, has revised its legal position on hearing children.²²⁶ The provision must, according to the Swedish Migration Agency, be interpreted in the light of the Convention and it shall only be considered inappropriate to hear a child if the child themselves declares that they do not wish to be heard. However, the legal position is only a document guiding the personnel at the Swedish Migration Agency, with no particular legal standing.

An internal quality review of the processing of accompanied children in the asylum process was presented by the Swedish Migration Agency in December 2022.²²⁷ According to the review, findings show that measures taken by the authority regarding children seem to have had an effect in some aspects, but shortcomings were identified. In general, the best interests of the children are taken into account during the processing, the investigations are of a high level, the children are treated well and receive relevant questions about their reasons for asylum.

The report however identified shortcomings in documentation and that some cases had not been sufficiently investigated. The children's individual reasons and other relevant factors are highlighted in several decisions – but not in all. The review furthermore showed that in a clear majority of the cases, the best interest of the child is not identified and the balance against opposing interests often done in an unclear manner. A majority of the decisions reveal examples of shortcomings in the application of the method – how the examination of the child's best interests should be carried out, justified and clearly form an integral part of the assessment. The shortcomings occur regardless of whether it is an approval or rejection case. However, the authors concluded that in the majority of the cases, the outcome was regarded as legally acceptable.

In a comment to the report published by the Swedish Refugee Law Center, criticism was put forward regarding the conclusion made by the authors and that the examination of children's own reasons for asylum had been overlooked in the review. The report identifies shortcomings in the conditions for children to talk about their own reasons for asylum, and it is not clear from the review how many of the decisions granting asylum are based on the child's own reasons for asylum. The Swedish Refugee Law Center

²²² Swedish Government Official Report, SOU 2016:19 Barnkonventionen blir svensk lag. Available in Swedish [here](#); Swedish Government Official Report, SOU 2020:63, Barnkonventionen och svensk rätt. Available in Swedish [here](#).

²²³ Lag (2018:1197) om Förenta nationernas konvention om barnets rättigheter, available [here](#).

²²⁴ Government Bill, prop. 2017/18:186 *Inkopporering av FN:s konvention om barnets bästa*, 20 March 2018, available in Swedish [here](#) 95f.

²²⁵ Swedish Migration Agency, Rättsligt ställningstagande, *Prövning av barns bästa*, 009/2020, 24 June 2020, available in Swedish [here](#).

²²⁶ Swedish Migration Agency; Rättsligt ställningstagande, *Att höra barn*, 010/2020, 24 June 2020, available in Swedish [here](#).

²²⁷ Swedish Migration Agency, *Tematisk kvalitetsuppföljning avseende asylsökande barn i familj*, dnr: 1.3.4-2022-26331, 19 December 2022, available in Swedish [here](#).

notes with concern that, despite the serious shortcomings that have been identified, the Swedish Migration Agency considers that the outcome of the reviewed cases has been legally acceptable.²²⁸

As part of the quality review, a questionnaire was sent to decision-makers at asylum units. The findings from the questionnaire are published in a separate report.²²⁹ When respondents are asked what makes it difficult to consider the best interests of the child, lack of resources, unclear legislation and/or conflict with other legal provisions seem to pose the greatest challenges. Lack of resources primarily referred to lack of time.

At the beginning of 2023, an assignment was given within the Swedish Migration Agency to develop an action plan to increase the legal and procedural quality in the parts where the quality follow-up identified deficiencies. The action plan proposes an educational initiative with a focus on writing and justifying the position (in decisions) on the best interests of the child and is aimed at all employees in the asylum process and administrative process. One of the measures proposed in the quality follow-up was that, after the measures had been introduced, it should be decided whether a new quality follow-up is needed.

As mentioned in the 2022 AIDA report, during 2022 a review of asylum cases where the issue of the risk of genital mutilation was assessed showed quality deficiencies in the processing. Since the review revealed shortcomings, lectures have been conducted within the authority's asylum examination to raise the level of knowledge. A training case has been developed and a processing support has been published.²³⁰

The Swedish Migration Agency carried out a follow-up review of 160 asylum cases in 2024. In the cases that led to granting of international protection, the legal quality was assessed to be consistently high, while in the rejection decisions, in a significant part and especially for children, shortcomings of such a nature were noted that the follow-up group could not assess with certainty whether the outcome was correct. However, according to the Swedish Migration Agency, the deficiencies occurred in a lower proportion of the cases and were of a less pervasive nature than in previous quality follow-up in 2022.

Within the framework of a previous government assignment to combat and prevent genital mutilation, the Swedish Migration Agency has taken action. Some examples are processing support for case officers, routines concerning reporting to the police and training initiatives.²³¹

Regarding unaccompanied minors and adequate reception in 2022, the Swedish Migration Agency published a legal comment on the authority's interpretation of the ruling by the CJEU in case C-441/19 regarding Member states' duty to carry out a general and in-depth assessment of the situation of unaccompanied minors, taking due account of the best interests of the child and to ensure that adequate reception facilities are available for the unaccompanied minor in question in the State of return, before issuing a return decision. Despite criticism from lawyers and civil society, the Swedish Migration Agency assessed that the proceedings in Sweden are in compliance with the ruling.²³²

In 2021, UNICEF published a review of court cases from 2020 pertaining to the Convention on the Rights of the Child.²³³ It found that in court cases where the CRC was brought up, assessments of the best interest of the child were rarely clearly documented and it was often unclear *how* the assessment had

²²⁸ Swedish Refugee Law Center, Migrationsverkets rapport visar stora brister i prövningen av asylärenden som rör barn i familj, 4 May 2023, available in Swedish [here](#).

²²⁹ Swedish Migration Agency, 'Kvalitetsuppföljning asylsökande barn, del 1, enkätundersökning om hur barnets bästa och barnets rätt att uttrycka sin åsikt tolkas och tillämpas', dnr: 1.3.4-2022-26331, November 2021, available in Swedish [here](#).

²³⁰ The Swedish Migration Agency, Annual Report 2022, Dnr: 1.3.2-2023-2262.

²³¹ The Swedish Migration Agency, Annual Report 2024, Dnr: 1.3.2-2025-1844, p.116

²³² The Swedish Migration Agency, *Rättslig kommentar, Tolkning av EU-domstolens dom C-441/19, RK/002/2022*, available in Swedish [here](#).

²³³ UNICEF, Barnkonventionen som lag i praktiken - En granskning av domar från 2020, 2021, available in Swedish [here](#).

been carried out. However, there were positive outcomes in cases where the child was granted a residence permit based on particularly distressing circumstances, with reference being made to the best interest of the child. The author however cautioned that it was too early to draw certain conclusions.

As presented in previous AIDA reports, there have been positive outcomes from the Migration Court of Appeal in asylum cases where the best interests of the child was explicitly mentioned; regarding a 14-year-old child born and raised in Sweden,²³⁴ and regarding a three-year-old boy with a serious health condition.²³⁵ Both rulings are important as a ruling from the Migration Court of Appeal is indicative and the rulings offer guidance on how to assess the best interest of the child, and on the proportionality test when balancing different interests, such as the best interest of the child vis-à-vis for instance the interest of the state to uphold regulated migration.

In a decision of 17 February 2023, the Migration Court of Appeal found, with reference to, among other things, the principle of the best interests of the child and the right to be heard, that the Migration Court should not have rejected a child's request for an oral hearing.²³⁶

In October 2023, the Migration Court of Appeal referred a case back to the Migration Court. The court had granted a child and one of the parents' refugee status and residence permit in Sweden but had rejected the other parent's application for residence permit. Referring to, inter alia, the CRC, the Migration Court of Appeal found that the Migration Court had not made any assessment of the best interests of the child and the consequences of the expulsion of the parent for the child. This was considered a serious deficiency in the court's handling of the case.²³⁷

A report by the Swedish Ombudsman for children, published in October 2025, highlights the legal developments that have taken place and the existing case law concerning the application of the Convention on the Rights of the Child.²³⁸ The report states that, following the incorporation of the CRC into Swedish law, the Swedish Ombudsman for children is aware of nine decisions by the Migration Court of Appeal addressing various aspects of migration law in which the Convention is mentioned. The report highlights the rulings mentioned above, and a ruling from 2018,²³⁹ (i.e., before the CRC was incorporated). The Convention is referred to in different ways in these decisions, in some cases only in the context of summarising the arguments of a party. The Ombudsman has not observed any more developed or substantive engagement with the Convention in decisions other than the three cases mentioned above (MIG 2018:20, MIG 2020:24 and MIG 2021:18). The Children's Ombudsman states that these rulings are important and can provide guidance in other cases and matters. They concern decisions that are clear and methodical in determining what constitutes the best interests of the individual child and how those interests should be weighed against other considerations. In addition, the court has identified deficiencies in the handling of cases, linked to children's rights, which have led the court to remit cases to the lower instance for renewed processing.

Although not elaborating on the rights under the CRC, two of the decisions made by the Migration Court of Appeal are mentioned below. In September 2024, the Migration Court of Appeal ruled in a case concerning the significance of a child not holding permanent residence when determining whether the child should acquire Swedish citizenship in connection with a parent's naturalisation. The Court found that there was no circumstance in the case that would justify imposing a requirement of permanent residence on the child. According to the Court, the decisive factor is the child's actual connection to the applicant and that the assessment must be carried out from the child's perspective.²⁴⁰

²³⁴ Migration Court of Appeal, Decision MIG 2020:24, 22 December 2020, available [here](#).

²³⁵ Migration Court of Appeal, Decision MIG 2021:18, 17 December 2021, available [here](#).

²³⁶ Migration Court of Appeal, Decision UM 3741-22, 17 February 2023

²³⁷ Migration Court of Appeal, Decision UM 6238-23, October 2023

²³⁸ Barnombudsmannen, Barnkonventionen i rättspraxis, 2 October 2025, p. 73-77, available in Swedish [here](#).

²³⁹ Migration Court of Appeal, Decision UM 5407-18, MIG 2018:20, 13 November 2018, available [here](#).

²⁴⁰ Migration Court of Appeal, Decision MIG 2024:10, 12 September 2024.

In December 2025, the Migration Court of Appeal held that an unaccompanied refugee child's unconditional right to family reunification with their parents entails that minor siblings must also be granted residence permits when the parents are granted residence permits, unless there are specific circumstances showing that the siblings are not dependent on their parents. Denying residence permits to the siblings would effectively deprive the unaccompanied child of the right to family reunification. The Court referred to the EU Charter and the best interest of the child. The case was remitted to the Swedish Migration Agency for further examination of identity requirements and possible evidentiary relief.²⁴¹

As mentioned in previous AIDA reports, on 1 July 2022, 31 civil society organisations working with children's rights, including the Swedish Refugee Law Center, submitted an alternative report to the UN Committee on the Rights of the Child as a basis for the ongoing review of Sweden. The report is an appendix to the main report *Hör barnens röst (Hear the Children's Voice)* produced by children themselves, without adult analysis or interpretation.²⁴²

Concerns that were raised concerned, inter alia, that there is not yet a systematic approach to the use of the Convention in the application of law in municipalities, regions and by national authorities. Despite the Committee's recommendations, there is still no legislation regarding child-specific persecution. Several investigations and reports have shown that there are major shortcomings in the child's right to be heard in asylum cases when children seek asylum together with parents or guardians, and having their claims assessed individually.

The Committee issued its recommendations and comments to Sweden in February 2023.²⁴³ The Committee welcomes the fact that the Convention on the Rights of the Child has become Swedish law. However, the Committee expresses great concern about areas where it believes that immediate action needs to be taken, including the situation of refugee children and children in legal proceedings. The review reveals several systemic shortcomings regarding assessments of the best interests of the child, children's participation in legal processes and the lack of child-impact assessments in the legislative process. The audit also shows that it is difficult for children to obtain redress when their rights under the Convention are violated.

With regard to children who are in Sweden as asylum seekers, refugees or in the migration process, the Committee welcomes the work carried out by the Swedish Migration Agency regarding, among other things, assessments of the best interests of the child. However, the Committee is deeply concerned about the restrictions that have been introduced in legislation and the consequences this has had for children in terms of family reunification, access to permanent residence permits and social security. The Committee is also deeply concerned about the proposals for further restrictions presented in the Tidö Agreement, which will also have consequences for children.

To strengthen the rights of children in asylum or migration, Sweden is encouraged to take measures to ensure that the best interests of the child are a primary consideration in asylum processes. The Committee maintains its previous recommendation that the unsuitability requirement in the Aliens Act, i.e. that children must be heard unless it is deemed inappropriate, be removed. In addition to guidance and training for relevant actors, the Committee recommends that the Aliens Act be amended in order to clarify the assessment of the best interests of the child, and that child-specific persecution and the assessment of the best interests of the child be integrated into the legislation. The Committee also calls on Sweden to ensure that children who have been taken into care by society after being subjected to violence by their parents are not deported along with their parents. Sweden is also urged to take measures to make it easier for children to be reunited with family members by removing the maintenance requirement. With

²⁴¹ Migration Court of Appeal, Decision UM 13683-24, MIG 2025:14, 9 December 2025

²⁴² *Hör barnens röst*, Appendix 1: Report from Civil Society Organisations working with Child Rights, 2022, available in English [here](#).

²⁴³ Concluding observations on the combined 6th and 7th periodic reports of Sweden, 7 March 2023, available in English [here](#).

regard to unaccompanied minors from Ukraine, Sweden is urged to take measures to maintain or enable contact with the children's family members.

However, rather than taking measures to make it easier for children to be reunited with family members by removing the maintenance requirement, as the Committee urged, on 1 December 2023 further restrictions regarding family reunification was introduced (see: [Family reunification](#)).

On 1 December 2023, restrictions were also introduced on the possibility for both adults and children to be granted a residence permit on humanitarian grounds. For children, the amendment means a return to the wording of the Aliens Act's provision on humanitarian grounds before 2014. That provision was amended in 2014 with the purpose of facilitating assessments concerning children, to highlight the children's rights perspective and to emphasise the principle of the best interests of the child.²⁴⁴ The legislative change has been criticised because of the lack of child impact assessment. In addition, the Convention became Swedish law in 2020. Civil society has pointed out that removing improvements made to ensure children's rights is in contrast to the CRC and the purpose of the Swedish Children's Rights Act.

A civil society review by 25 organizations regarding the development and the government's work since the Committee's recommendations, published in June 2025, reveals that while some progress has been made over the past two years on a number of recommendations, too little progress can be noted. Sweden is largely stagnating or moving in the wrong direction regarding children's rights. The most severe criticism is directed at the government for presenting proposals that directly contradict 14 specific recommendations from the UN Committee on the Rights of the Child, particularly concerning children in migration, socio-economic vulnerability and the justice system.

In a general overview, a regression of rights is identified, as the principle of "progressive implementation" is being violated. Civil society is concerned that political rhetoric linking migration to criminality fosters racism, polarization, and stigmatization. The area of migration is described as having the most significant negative development for children's rights. Key points of criticism include restricted conditions for family reunification, proposals to abolish permanent residency and for introducing stricter requirements for citizenship, which creates instability for children. There is strong opposition to inquiries proposing expanded possibilities to place children in detention for longer periods. While the number of medical age assessments has decreased, the government's decision to discontinue a review of the system is criticized for maintaining legal uncertainty for asylum-seeking children.²⁴⁵

Vulnerability questions pertaining to women

As mentioned in previous AIDA reports, the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) in its report on Sweden's implementation of the Istanbul Convention, noted limitations regarding gender-specific interviews with case managers, (i.e., the difficulty to build trust and be able to tell traumatic experiences). Additionally, GREVIO noted that asylum-seeking women are unaware of the importance and relevance that their accounts of gender-based violence and persecution may have on the asylum procedure.

As highlighted in previous AIDA reports, critique has been directed regarding the reference to a so-called male network in cases concerning women applicants. Asylum claims made by female applicants are often rejected as they are assessed to be able to rely on a 'male network' in the home country (i.e., male relatives such as brothers, the father, male relatives from the woman's husband etc.) in their home country.

²⁴⁴ Government Bill 2013/14:216, pages 18–19.

²⁴⁵ Civilsamhällets granskning, *Barn är också människor och har rätt till rättigheter precis som vuxna*, June 2025, available [here](#).

Such concerns were, *inter alia*, raised in a report concerning Sweden's compliance with the UN Convention on the Elimination of Discrimination Against Women (CEDAW) prepared by the Swedish CEDAW network, a report that was submitted to the UN Committee on the Elimination of Discrimination Against Women (see [AIDA report 2023](#)).

The reference to a male network and the weight that was attributed to it, in many cases regardless of the woman's individual situation and asylum claim, was identified as a noteworthy area of concern in a report published by the Swedish Refugee Law Center on 8 March 2023. The report was based on a study of 41 cases concerning gender-based asylum claims; *Kvinnor i asylprocess - vikten av ett genusperspektiv* ("Women in the asylum procedure - the importance of applying a gender perspective").²⁴⁶ In a number of cases, shortcomings regarding the procedural guarantees were noted, preventing women from disclosing gender-based asylum claims. Identified areas of concern regarding the assessments were: insufficient gender sensitive considerations when assessing the oral account, failure in applying the benefit of the doubt, and a lack of due consideration to factors leading to late disclosure. Failings in the future risk-assessments were furthermore identified, where the migration authorities assessed each of the grounds for protection separately and did not sufficiently take into account that several factors and combined grounds could aggravate the risk for the woman having a well-founded fear of persecution.

Although limited in scope, the shortcomings in the assessments of the Swedish Migration Agency and the Migration Courts that were noted in the cases analysed in the study may be indicative of shortcomings on a general level and warrant further investigations. In the report, recommendations are directed to the Swedish Migration Agency and the Migration Courts (see [AIDA report 2023](#)).

It should be noted that the cases concerning women from Afghanistan included in the study predated the Taliban takeover.

On 6 December 2022, the Swedish Migration Agency, in an updated legal position regarding applicants from Afghanistan,²⁴⁷ stated that the situation of women in Afghanistan is considered to be such that their fundamental human rights are violated, and that this is done, *inter alia*, through legal, administrative, policy and/or judicial measures that are in themselves discriminatory or implemented in a discriminatory manner, cf. Article 9(2)(b) of the Qualification Directive. The Swedish Migration Agency considers that it is likely that women and girls in Afghanistan in general, including women and girls in families with a male family member, through the accumulation of various measures, risk being subjected to discrimination at such a level and with such severe restrictions on their fundamental rights and freedoms that, in a forward-looking assessment, this will reach persecution, cf. Article 9(1)(b) of the Qualification Directive. This means that an asylum-seeking woman or girl from Afghanistan must be assessed to be a refugee as belonging to a particular social group, i.e., gender, according to Chapter 4. Section 1 of the Aliens Act.

If a woman or a girl has received an expulsion decision, the situation in Afghanistan mentioned above is to be considered a new circumstance according to the rules regarding impediments to enforced return. If it is not deemed possible to grant a residence permit the case shall be re-examined since it can be assumed that the Taliban regime's approach to women and girls and the generally worsening situation constitute permanent obstacles to enforcement. For national legislation concerning impediments to enforced return, see [Subsequent applications](#).

The Swedish Migration Agency's legal position was updated in November 2024.²⁴⁸ The situation for women and girls is reiterated, where the situation of women in Afghanistan is assessed to be such that their fundamental human rights are violated that, in a forward-looking assessment, this reaches the

²⁴⁶ Swedish Refugee Law Center, 'Kvinnor i asylprocess - vikten av ett genusperspektiv', 8 March 2023, available in Swedish [here](#).

²⁴⁷ Swedish Migration Agency, Legal position *Prövning av skyddsbehov m.m. för medborgare från Afghanistan*, RS/089/2021, updated 27 November 2023, available in Swedish [here](#).

²⁴⁸ Swedish Migration Agency, Legal position, *Prövning av skyddsbehov m.m. för medborgare från Afghanistan*., RS/089/2021, updated 11 November 2024, available in Swedish [here](#).

threshold of persecution on grounds of gender within the meaning of Chapter 4, Section 1 of the Aliens Act. However, it is added that even though the Swedish Migration Agency is not required to take into account other circumstances relating to the applicant's personal situation than those linked to the applicant's gender and nationality (see the judgment of the CJEU of 4 October 2024 in Joined Cases C-608/22 and C-609/22), there may in rare exceptional cases be individual circumstances which mean that the discrimination does not reach the level required to constitute persecution. The examination is described as being carried out in accordance with the ordinary assessment framework, and an individual assessment of the need for protection shall be made taking into account the applicant's personal status and circumstances, where, for example, grounds for exclusion must also be considered.

ECRE and a number of its partner organizations carried out a study visit to Stockholm in June 2025. The specific aim of the visit was to assess how Sweden's legal framework, asylum procedures, reception systems and civil society structures respond to the specific needs of self-identified women and girls. ECRE published a report on the study visit which highlights several strengths in Sweden's approach, including the legal recognition of gender and sexual orientation within the refugee definition, individualized and gender-sensitive asylum interviews, and the possibility to request the gender of interviewers, interpreters or legal counsel.²⁴⁹ The report also documents the central role played by civil society organizations in providing legal assistance, psychosocial support, anti-trafficking and services for people who underwent female genital mutilation, as well as inclusion programs.

At the same time, the report also identifies a number of significant challenges. For example, recent and planned reforms under the Tidö Agreement, including proposed reductions in first instance legal aid, stricter reception rules tied to assigned housing, expanded control measures, limitations on repeat applications and moves toward temporary residence permits, or the risk of weakening gender-sensitive safeguards. The report also reveals gaps in interpretation quality, consistent gender-based violence-informed training, safe accommodation for single women, access to documentation and the sustainability of NGO services amid shrinking funding and limited engagement in the implementation of the EU Pact on Migration and Asylum. The report underscores that even though Sweden continues to host a strong ecosystem of actors committed to supporting asylum-seeking and refugee women and girls, the restrictive policy climate is increasingly shaping the extent to which these protections can be upheld in practice.

The following challenges were also identified during the study visit:

- the fact that the purpose of the right to request a female or male interviewer, interpreter, and public counsel is not always explained,
- the quality of interpretation services affecting gender-sensitive asylum procedures,
- the Swedish Migration Agency requires parental consent for children's interviews, which can create barriers to disclosure in sensitive cases such as FGM,
- the impact of trauma on communication and testimony can significantly affect the applicants' ability to navigate the asylum procedure as well as their capacity to give a coherent or detailed account of their experiences during the interview,
- language barriers, trauma-related stress, and cultural factors may hinder their expressiveness, potentially affecting the outcome of their claims, and
- access to specialized health and psychosocial support is not uniformly guaranteed.

Another challenge that was identified was the inconsistent training on gender-based violence (GBV). Although the Swedish Migration Agency offers training opportunities on GBV, civil society representatives highlighted that the level and consistency of such training varies. There are no formal requirements for all legal representatives or the Swedish Migration Agency staff to have specialized knowledge in gender-related asylum claims. Legal professionals are not required to demonstrate specific expertise in GBV or related protection needs, even in cases where such issues are central to the applicant's claim.

²⁴⁹ ECRE, *Study visit to Sweden on good practices in upholding the rights of asylum seeking and refugee women and girls*, December 2025, available [here](#).

Another challenge that was identified concerns the significant evidentiary burden on applicants in GBV cases. Even when presenting credible claims, some applicants are denied protection without support from external institutions. Legal professionals and civil society representatives highlighted that the perceived credibility of claims frequently depends on language proficiency, emotional expression during interviews, and external corroboration. Applicants who struggle to clearly communicate their experiences –due to trauma, language barriers, or cultural norms- may be disadvantaged. Moreover, intersectional vulnerabilities are often overlooked. Lawyers noted that cumulative factors are rarely recognized, and intersectional approaches are not systematically applied in case assessments. Legal professionals highlighted that the new restriction on repeat asylum applications is seen as particularly harmful to survivors of gender-based violence, who often need considerable time before disclosing their experiences and may now lose the chance to seek protection after an initial rejection.²⁵⁰

Following the CJEU judgment in case C-646/21, on 20 October 2025 the Swedish Migration Agency published a legal commentary in order to provide support in the handling of cases relating to the assessment of membership of a particular social group and the assessment of the best interests of the child.²⁵¹

As reported in the previous AIDA report, restrictions were introduced in 2023 on the possibility for both adults and children to be granted a residence permit on humanitarian grounds. Under this provision adults could previously also be granted a residence permit if they had resided in Sweden with a residence permit for a longer period of time but did not meet the requirements for a permanent residence permit and there were no other grounds for an extended residence permit. Explicitly mentioned in the preparatory work was the situation when a temporary residence permit had been granted under Chapter 5, Section 16 of the Aliens Act after a relationship has ended, e.g., because the foreigner had been subjected to violence or other serious violation.

Questions of concern that were, *inter alia*, further highlighted by CEDAW in its observations in November 2021 concerned the availability of specialised, inclusive and accessible shelters for women and girls who were victims of gender-based violence, taking into account their specific needs. There was also concern regarding the identification and protection of women and girls being trafficked for purposes of sexual exploitation, forced labour or forced criminal activities, and the presence of preventive measures concerning them.

The Swedish Migration Agency can offer an asylum seeker who has been subjected to or threatened with violence accommodation in another location and mark the address as confidential. However, the Migration Agency cannot offer sheltered housing. This must according to the Migration Agency be offered under municipal auspices.²⁵² (see also [Reception of women](#)).

In 2025, a total of 2, 811 women (including accompanied girls) applied for asylum for the first time and the recognition rate was 40%, compared to 3,951 women (including accompanied girls) and 41% recognition rate in 2024.²⁵³ A total of 35 unaccompanied girls applied for asylum.²⁵⁴

²⁵⁰ ECRE, *Study visit to Sweden on good practices in upholding the rights of asylum seeking and refugee women and girls*, December 2025, available [here](#), p.12-13.

²⁵¹ Swedish Migration Agency, *Rättslig kommentar EU-domstolens avgörande i mål C-646/21*, RK/004/2025, available in Swedish [here](#).

²⁵² Swedish Migration Agency, *Rutin: Skyddat boende/ skyddad adress/ sekretessmarkering för asylsökande utsatta för våld eller hot om våld; Rättsutredning angående Migrationsverkets ansvar för frågor rörande så kallat skyddat boende*, dnr 1.3.4 -2018-38994.

²⁵³ Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).

²⁵⁴ Swedish Migration Agency, information received via email January 2026.

A total of 2,855 women applied for an impediment to enforced return in 2025 (from 2,696 in 2024). The approval rate was 14% in comparison with 16% in 2024.²⁵⁵

Vulnerability questions pertaining to LGBTQI+ asylum seekers

In November 2020, RFSL²⁵⁶ published a report²⁵⁷ in which they had examined more than 2,000 asylum decisions from the Migration Agency and judgments from the Migration Courts in LGBTQI+ cases during the period 2012–2020. The report finds that several explicit requirements are put upon the asylum seeker by the migration authorities within the credibility assessments in LGBTQI+ cases and that the migration authorities have a number of preconceptions about and expectations on LGBTQI+ people, that have a great impact on whether or not asylum seekers are considered as having made their claims credible. Asylum seekers are expected to have gone through an inner process leading up to their realisation about their sexual orientation, gender identity or gender expression. They are expected to have felt, or at least reflected upon, feelings such as a sense of being different, stigma and shame. The requirements are based on the erroneous and stereotypical notion that LGBTQI+ people share certain universally common experiences that can be investigated and assessed. LGBTQI+ people eligible for protection who do not share or cannot describe these experiences are deemed non-credible. The report also found that late disclosure of LGBTQI+ asylum claims are often deemed non-credible and non-reliable.

In 2020 RFSL Ungdom (Queer Youth) published a legal review based on nine cases concerning LGBTQ youths. In 2022, the report was translated into English.²⁵⁸

In 2023, RFSL published a follow-up report to the 2020 report.²⁵⁹ A further 1,360 asylum decisions and judgements were examined during the period 2020-2023. Although some positive changes were noted, for instance a few positive rulings, the critics raised in the 2020 report were reiterated. It was however noted by RFSL that the Swedish Migration Agency has started a process of change in order to improve decision-making where the conclusions of the previous report from RFSL are taken into account.

In September 2024, a version in English was published by RFSL.²⁶⁰ The Swedish Agency for Public Management (*Statskontoret*) has, on behalf of the government, reviewed the asylum process to strengthen quality, consistency, and legal certainty in the field. The assignment included assessing the extent to which consistency and legal certainty are maintained in the assessment of asylum cases at the Swedish Migration Agency and whether the agency has the governance and working methods required to achieve this. In October 2024, *Statskontoret* published its review of the asylum process.²⁶¹

In the analyses of governance, support, and internal follow-up, as well as in interviews and surveys, *Statskontoret* has specifically focused on LGBTQI and convert cases.

Statskontoret's overall analysis shows that the Swedish Migration Agency is having difficulty maintaining uniformity and legal certainty in the asylum process. The proportion of approval and rejection decisions differs between the regions in a way that cannot be reasonably explained. The Swedish Migration

²⁵⁵ Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).

²⁵⁶ Riksförbundet för homosexuellas, bisexuellas, transpersoners, queeras och intersexpersoners rättigheter (the Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex Rights)

²⁵⁷ RFSL, Avslagsmotiveringar i HBTQI-asylärenden, available in Swedish, with a summary in English, [here](#).

²⁵⁸ RFSL Ungdom, I want to be free, available [here](#).

²⁵⁹ RFSL, Avslagsmotiveringar i hbtqi-asylärenden – en uppföljning av rättsutredningen, 2023, available in Swedish [here](#).

²⁶⁰ RFSL; *Rejection motivations in SOGIESC asylum cases in Sweden: A Case Law Analysis of the Migration Agency's, the Migration Courts' and the Migration Court of Appeal's Assessments of Sexual Orientation, Gender Identity and Gender Expression Asylum Claims*, September 2024, available [here](#).

²⁶¹ Statskontoret, Många öar små – Migrationsverkets styrning och uppföljning av den rättsliga kvaliteten i asylprocessen, 2024.14, October 2024, available [here](#).

Agency's internal governance, control and follow-up are assessed to be weak, and the agency does not follow up the legal quality of asylum processing in a systematic manner.

With regard to LGBTQI and convert cases, both external organisations and the Swedish Migration Agency's own reports show that there are shortcomings in the legal quality of the Swedish Migration Agency's assessments. *Statskontoret's* analysis also supports the view that LGBTQI and convert cases are difficult to examine in a uniform and legally certain manner. In the analysis of governance for LGBTQI and convert cases, it was assessed that formulations in the legal positions published by the Swedish Migration Agency make the positions difficult to interpret and use, and that the discretionary margin partly counteracts the purpose of the positions to provide support in the assessment.

It is also noted that governance may have difficulty having an impact. Additionally, previously there were specialists involved in several case types, for example as quality assurance in LGBTQI cases. However, this function was removed during the reorganization in 2021. Nowadays, all case officers are expected to be able to process all types of asylum cases and asylum grounds. It is further noted that when case volumes vary greatly over time it is difficult to retain accumulated expertise.

Statskontoret concluded that the Swedish Migration Agency has working methods, but not guidance and follow-up, to maintain uniformity and legal certainty in the asylum process, and left suggestions for improvements.

Based on the findings and recommendations in the report from *Statskontoret*, the Swedish government gave the Swedish Migration Agency the task in its appropriation directive for 2025 to improve the uniformity and legal quality in decision-making and assessing LGBTQI asylum claims.²⁶² On 23 September 2025, the Swedish Migration Agency reported back to the government with what measures had been taken during 2025 and are planned for the future in order to fulfil this task.²⁶³ In its report, the Swedish Migration Agency briefly described that they have adopted a plan to implement the *EUAA Practical Guide on applicants with diverse sexual orientations, gender identities, gender expressions and sex characteristics (SOGIESC)*. They describe that this plan includes measures that will be taken to address the conclusions made by *Statskontoret*, as well as the external criticism against the legal assessments of SOGIESC asylum claims. The Swedish Migration Agency also reported that they will investigate the possibility of doing a thematic follow-up of the quality of decision-making in SOGIESC asylum cases, including examining whether a method can be developed to keep statistics in these cases.

Both RFSL and RFSL Ungdom welcomed that the Swedish Migration Agency has chosen to implement the EUAA's Practical Guide in SOGIESC/LGBTQI asylum cases and that they have developed an implementation plan to improve legal certainty and address the criticism that RFSL, RFSL Ungdom, *Statskontoret* and others have expressed.²⁶⁴ RFSL Ungdom highlighted that a thematic quality follow-up that also concerns children and young people and includes children's rights and youth perspectives is necessary, as RFSL Ungdoms audits have shown that children and young LGBTQI people are extra exposed to unjustified assessments and discrimination within the framework of the asylum process.²⁶⁵

In the same report, the organizations note, at the same time, that no improvement has yet taken place. RFSL is currently conducting new research on SOGIESC asylum law, examining decisions and judgements in 2025, showing that no change or improvement has happened compared to what the previous legal investigations showed. RFSL's experience from SOGIESC case law 2025 is that discretion-reasoning has been found in cases concerning applicants from countries that are having various forms of

²⁶² Regleringsbrev för budgetåret 2025 avseende Migrationsverket, 2024-12-19, available in Swedish [here](#).

²⁶³ Swedish Migration Agency, Rapport: Ökad enhetlighet och rättslig kvalitet i ärendeprovningen, dnr 1.3.1-2025-11985, p.16, available in Swedish [here](#).

²⁶⁴ Information provided by RFSL and RFSL Ungdom via email, 27 January 2026.

²⁶⁵ RFSL Ungdom, analysis of the report from the Swedish Migration Agency to the government on 30 September 2025, available in Swedish [here](#).

criminalising laws that are applied to arrest LGBTQI+ people. The credibility assessments still rely on stereotyped notions of LGBTQI+ people. RFSL concludes that the Swedish migration authorities' assessments of SOGIESC asylum cases are still contrary to national and international law. There are no official statistics over the Swedish Migration Agency's SOGIESC asylum decisions. From 1 January to 31 December 2025, RFSL gathered altogether 448 judgements from the Swedish Migration Courts in asylum cases where SOGIESC claims were assessed. In 418 of the cases (93,3%) the court rejected the SOGIESC asylum claims. Out of the 418 denied SOGIESC asylum claims, 313 of them were based on the credibility assessment, where the applicant's sexual orientation, gender identity, gender expression and/or sex characteristics were not assessed as credible. The remaining 105 judgements were rejected based on sufficiency; most often when the country of origin was assessed as a so-called "safe country of origin" for LGBTQI+ people.²⁶⁶

RFSL has furthermore observed a significant increase in cases where refugee status and residence permits are revoked for individuals who were granted protection on SOGIESC-related asylum grounds. RFSL considers this development to be a consequence of the Government's 2025 appropriation directive, which instructed the Swedish Migration Agency to prioritize revocation cases. A frequent basis for revocation is that the Swedish Migration Agency receives anonymous tips or discovers that individuals granted refugee status due to their sexual orientation have had children or are cohabiting with a person of a different legal gender, regardless of the other person's gender identity or the nature of their relationship. RFSL, Civil Rights Defenders and other civil society organizations reported an increase in revocation cases affecting LGBTQI+ persons and warned that investigations increasingly involve intrusive and privacy-violating questioning about SOGIESC, contrary to UNHCR Guidelines No. 9, CJEU case law and the Swedish Migration Agency's own legal position (RS015/2021).²⁶⁷

2.2. Exemption from special procedures

When implementing the Asylum Procedures Directive, Sweden saw no need to change or modify existing legislation, due to the new Article 24 on applicants in need of special procedural guarantees, even though many authorities and organisations, including the Swedish Migration Agency, Swedish Red Cross and UNHCR, expressed the need to do so.²⁶⁸

Unaccompanied children and other vulnerable groups are not *per se* exempted from the accelerated procedure, although individual assessments of the appropriate track to be applied may be made continuously. "Track 4" may be applied to an unaccompanied child who has an unfounded claim and who can be accommodated in reception facilities in the country of origin.

3. Use of medical reports

Indicators: Use of medical reports

1. Does the law provide for the possibility of a medical report in support of the applicant's statements regarding past persecution or serious harm? Yes In some cases No
2. Are medical reports taken into account when assessing the credibility of the applicant's statements? Yes No

Medical reports within the context of the asylum claim

The Aliens Act does not contain any guidelines for medical examinations. The Swedish asylum procedure operates on the principle that any evidence can be admitted in support of an asylum claim. Therefore, the

²⁶⁶ Information provided by RFSL via email, 26 January 2026.

²⁶⁷ RFSL, Consultation response on the Migration and Asylum Pact (Ds 2025:30), 29 December 2025, p.7-8, available in Swedish [here](#).

²⁶⁸ *Genomförande av det omarbetade asylprocedurdirektivet* (Travaux préparatoires to the transposition of the recast Asylum Procedures Directive), 2016/17:17, available in Swedish [here](#).

law does not expressly refer to the possibility of a medical certificate in support of the applicant's statement regarding past persecution or serious harm. However, as a result of the *R.C. v. Sweden* ruling of the ECtHR, Sweden has been reminded of the obligation on its authorities to carry out a medical examination if there is an indication on an initial non-expert medical report that the applicant could have been a victim of torture.²⁶⁹ Following the ruling by the ECtHR, the Migration Court of Appeal has in several rulings specified the investigative duty of the migration authorities and confirmed the principles of *R.C. v. Sweden*.²⁷⁰

In September 2022, the Migration Court of Appeal referred a case back to the Migration Court.²⁷¹ The applicant had requested a medical examination as he claimed he had been the victim of torture. Both the Swedish Migration Agency and the Migration court rejected his request. The applicant and counsel contacted the Swedish Red Cross Treatment Centre for persons affected by war and torture on their own initiative, but the Migration court did not wait for the result of the medical examination. The court questioned the credibility of the statements. The result of the medical examination however supported the applicant's statement. The Migration Court of Appeal found that the fact that the court did not give the applicant the opportunity to submit said evidence was a serious deficiency in the court's handling of the case.

The Swedish Migration Agency issued a legal position as guidance for case workers. The legal position clarifies that applicants who claim that they have been subject to torture or other ill-treatment amounting to a need for international protection and who present a certificate indicating that they have been subjected to such treatment shall, subject to certain exceptions, be further examined at the state's cost.²⁷² Exceptions may be made in cases where:

- ❖ Injuries are not disputed;
- ❖ The Migration Agency intends to grant the applicant refugee status or alternative protection status;
- ❖ The applicant's narrative contains extensive credibility issues; and
- ❖ The situation in their country of origin has changed to such an extent that the previous risks of torture and other ill-treatment on the basis of which international protection can be granted is considered to no longer exist.

The Swedish Migration Agency has a standard form for medical reports,²⁷³ but not specifically for medico-legal certificates. The latter usually follows the Istanbul Protocol. The certificate has to be formulated in accordance with the rules of the National Social Welfare Board and be signed by an expert in the field. Medical reports may also be requested and submitted by the asylum seeker or their legal counsel at any stage of the procedure. If the medical report plays an important role in the outcome of the case, then the costs may be reimbursed by the Court or the Swedish Migration Agency. It has proven difficult to get general practitioners to write formal certificates and express an opinion on the results of torture since they are not specialists.

If the Swedish Migration Agency finds that further investigation of the physical and/or psychological damage should not be at public expenditure, the applicant should be given reasonable time to submit further investigations at their own expense, according to the Swedish Migration Agency's legal position.²⁷⁴ This can be done through specialist institutions and through the Swedish Red Cross Treatment Centre

²⁶⁹ ECtHR, *R.C. v. Sweden*, Application No 41827/07, 9 June 2010, available [here](#).

²⁷⁰ Migration Court of Appeal, MIG 2014:21, UM3739-14, 23 September 2014, available in Swedish [here](#), Migration Court of Appeal, MIG 2012:2, 20 January 2012, available in Swedish [here](#).

²⁷¹ Migration Court of Appeal, decision UM 2621-22, 20 september 2022.

²⁷² Swedish Migration Agency, *Rättsligt ställningstagande, Medicinska utredningar av åberopade skador – RS/022/2021*, available in Swedish [here](#).

²⁷³ Swedish Migration Agency, *Utlåtande från läkare vid prövning av hälsotillstånd i ärenden om uppehållstillstånd eller verkställighetshinder*, available in Swedish [here](#).

²⁷⁴ Swedish Migration Agency, *Rättsligt ställningstagande, Medicinska utredningar av åberopade skador – RS/022/2021*, available in Swedish [here](#).

for persons affected by war and torture. The Swedish Red Cross runs five such treatment centers.²⁷⁵ In addition to trauma treatment, they document torture injuries according to the Istanbul Protocol at the request of the Swedish Migration Agency as part of the asylum process. After an individual assessment, such investigation can be conducted at the asylum seeker's own request. In such cases, the asylum seeker is not charged for any investigation or documentation carried out by the Swedish Red Cross.

During 2021, the Swedish Red Cross initiated work to support the Swedish Migration Agency with training on the effects of torture and trauma. Collaboration between the Swedish Red Cross and the Swedish Migration Agency to develop guidance on medico-legal documentation is formalised through a comprehensive Memorandum of Understanding (MoU). This means that the Swedish Red Cross assists the Swedish Migration Agency in various ways, including the development of guidelines for case workers on requesting medico-legal documentation. The Swedish Red Cross produces information sheets to ensure that this documentation complies with the Istanbul Protocol, as well as conducting specific training sessions.

A report regarding practices and challenges in identifying victims of torture in the context of international protection was published by the European Migration Network (EMN) in September 2024, developed following consultation between EMN, the Swedish Red Cross and the Red Cross EU Office.²⁷⁶ As challenges for applicants for international protection, the following was reported by the Swedish Red Cross: in Sweden, a 'medical certificate' has become a *de facto* pre-requisite for the Swedish Migration Agency to refer the claimant for a medico-legal assessment, posing a difficulty for many applicants for international protection. Obtaining a medical certificate comes with its own challenges, including limited guidance from case workers on the process, a lack of familiarity among medical professionals with the issuance of such certificates, and prolonged waiting times for doctor's appointments. Regarding constraints hindering sharing accounts of torture and ill-treatment, victims of torture and/or ill-treatment interviewed by the Swedish Red Cross reported that the asylum interview setting, questions asked, and limited time allocated posed a challenge for them to share their stories. This is compounded by the fact that the Swedish Red Cross found situations where important details were overlooked or omitted during asylum proceedings. This indicates a potential general lack of awareness of the Istanbul Protocol, an issue compounded by staff turnover.²⁷⁷

The Swedish Red Cross has also in late 2022 initiated a research project concerning children as survivors of torture.²⁷⁸ The aim of the project is to gather international knowledge about screening, documentation and treatment of torture injuries in children and, based on this, further develop age-appropriate methods and routines. An ambition is to also contribute to the dissemination of knowledge outside the treatment centres operations so that children who have been subjected to torture can be more easily identified in, for example, health and medical care, social services, the Migration Agency and the Student Health Service.²⁷⁹

A focus area within the project has been to strengthen procedures and methodological support linked to torture injury documentation in accordance with the Istanbul Protocol. Support material with instructions for how professionals can ask difficult questions about violence to children has been developed. The material is intended to help professionals to first identify exposure to violence and then assess whether the child's experiences fall within the scope of torture. This work will continue in 2026.

²⁷⁵ Swedish Red Cross, *Behandlingscenter för krigsskadade och torterade*, available in several languages [here](#).

²⁷⁶ European Migration Network, Inform September 2024, *Practices and challenges in identifying victims of torture and ill-treatment in the context of international and temporary protection*, available at: [here](#).

²⁷⁷ Ibid, page 12.

²⁷⁸ The Swedish Red Cross' treatment centre for war wounded and tortured in Uppsala, in collaboration with the Red Cross's Centre of Excellence for Torture and War Injury Rehabilitation and researchers at the Swedish Red Cross University College.

²⁷⁹ The Swedish Red Cross, *Forskningsprojekt om barn som överlever tortyr*.

Methodological support for healthcare professionals has also been developed, aiming to provide guidance on how examinations of children can be carried out in an ethical and safe manner. In addition, new routines and methodological support for the psychological assessment, a core component of a full medico-legal torture injury documentation, have been developed. Another important part of the project has been the further development of the treatment services offered to children who have survived torture. This includes the development of a structured model for intensive trauma treatment.

Ongoing work includes an in-depth legal study of the concept of torture from a child's perspective. An anthology with texts describing the results of all the project's activities will be launched in connection with a major knowledge-sharing event in 2026.²⁸⁰

In December 2021, guidance for healthcare professionals meeting patients with torture experiences was published by regional health care training centres.²⁸¹

Medical reports in the context of expulsion

As a consequence of the ECtHR ruling in *Paposhvili v Belgium*,²⁸² the Swedish Migration Agency issued legal guidance on assessing medical grounds that can come within the scope of Article 3 ECHR. In its latest guidance on the matter, also referring to *Savran v. Denmark*,²⁸³ the Swedish Migration Agency states that the expulsion of a foreigner suffering from a disease, in combination with the lack of adequate care in the home country, may in very specific cases be considered as inhuman and degrading treatment referred to in Article 3 ECHR.

- ❖ The standard of proof is high, it must be shown that the person is at a real risk of being subjected to such treatment. The applicant has the burden of proof that an expulsion leads to a treatment contrary to Article 3 ECHR.
- ❖ An overall assessment must be made. Factors that are important in the assessment are the state of health, the availability of adequate and appropriate care in the home country, the cost for the care, social networking and the general situation in the home country.
- ❖ If, even after investigation, there are still uncertainties about whether the applicant risks treatment in contravention of Article 3, the State must obtain individual and sufficient guarantees from the receiving State that appropriate treatment will be available to the person in question.
- ❖ The risk of being subject to treatment contrary to Article 3 ECHR should be assessed for children in the same way as for adults, however taking into account the fact the concerned person is a child.²⁸⁴

As mentioned in the [2021 AIDA report](#), on 24 September 2020, the UN Committee on the Rights of Persons with Disabilities (CRPD) published its decision in a case litigated by the Swedish Refugee Law Center concerning the expulsion to Iraq of a woman suffering from severe depression.²⁸⁵ The CRPD considered that the Swedish authorities should have assessed whether the woman would have been able to access adequate medical care if removed to Iraq, and found that Sweden had failed to fulfil its obligations under Article 15 of the Convention on the Rights of Persons with Disabilities.

²⁸⁰ Information provided by the coordinator of the project via email 21 January 2026.

²⁸¹ Transkulturellt Centrum i region Stockholm och Kunskapscentrum för migration och hälsa i region Skåne, *Identifiera, utreda och behandla tortyrskador Handledning för vårdpersonal som möter patienter med tortyrerfarenheter*, December 2021, available [here](#). *Identifiera, utreda och behandla tortyrskador* see also [Tortyrskador](#)

²⁸² ECtHR, *Paposhvili v. Belgium*, Application No 41738/10, Judgment of 13 December 2016, available [here](#)

²⁸³ ECtHR, *Savran v. Denmark*, application no 57467/15, Judgement of 7 December 2021, available: [here](#).

²⁸⁴ Swedish Migration Agency, *Rättsligt ställningstagande angående tillämpning av artikel 3 i Europakonventionen då sjukdom åberopas - RS/008/2020*, updated 13 January 2022, available in Swedish [here](#).

²⁸⁵ UN Committee on the Rights of Persons with Disabilities, *Decision on Communication no. 60/2019*, September 2020, available [here](#), 24.

On 6 September 2021, the CRPD published a decision in another case litigated by the Swedish Refugee Law Center.²⁸⁶ This time, too, the criticism concerned Sweden's assessment of mental illness in the asylum process. The case concerned a man from Afghanistan with severe mental illness. The CRPD did not consider that Sweden had sufficiently investigated whether the man could actually access care in Afghanistan. Another important part of the criticism concerned the assessment of the seriousness of the man's health condition. The Committee considered that the Swedish authorities' assessment that the risk of suicide was linked to the asylum process had taken too much precedence in the Swedish process. The CRPD found that Sweden had failed to fulfil its obligations under Article 15 of the Convention on the Rights of Persons with Disabilities.

On 19 March 2025, the CRPD published a decision in a case concerning a Lebanese man with severe psychosocial disabilities.²⁸⁷ This case was also litigated by the Swedish Refugee Law Center. The case involved criticism of Sweden's assessment of mental illness and access to care in Lebanon. The CRPD found that Sweden had failed to adequately assess the real and imminent risk to the man's life and health if returned to Lebanon, including the actual availability of mental health care. The Committee concluded that Sweden had violated its obligations under Articles 10 and 15 of the Convention on the Rights of Persons with Disabilities.

4. Legal representation of unaccompanied children

Indicators: Unaccompanied Children

1. Does the law provide for the appointment of a representative to all unaccompanied children?

Yes

No

All unaccompanied children have the right to be represented by a guardian as soon as they have lodged an asylum claim.

No differences are made between Dublin cases, manifestly unfounded cases or regular procedure cases regarding the right to a guardian. Every unaccompanied child is assigned a guardian but, should an age assessment lead to the person being considered an adult, the assignment ceases despite the fact that the age assessment decision can be appealed and has therefore not gained legal force. In certain cases, courts have pointed out that this practice is not in line with legal principles. The Administrative Court of Gothenburg issued a decision recognising that a child who had had his age adjusted to over 18 but was still in the appeal procedure, should still have the right to a guardian during that period as the decision on his age had not gained legal force.²⁸⁸

Guardians need to be persons of high moral character and may come from different social backgrounds. Every municipality, which is the responsible entity for the reception of unaccompanied children, has a "chief guardian" (*överförmyndare*) whose role is to assess a person's suitability to be a guardian. General knowledge of managing personal finances and common sense, combined with a personal and social involvement, are considered appropriate qualities. There is a specific law covering the duties of the guardian.²⁸⁹

According to law, a guardian must be appointed as soon as possible. However, there is no time limit for the appointment of a guardian. Guardians are reimbursed for their costs and receive a nominal fee from municipalities. No requirements about formal education or specialist knowledge in the field of asylum are imposed prior to being eligible for appointment. All guardians are appointed by the chief guardian in the municipality and in many cases, are frequently offered basic training courses. There are also national

²⁸⁶ UN Committee on the Rights of Persons with Disabilities, *Decision on Communication no. 58/2019*, September 2021, available [here](#).

²⁸⁷ UN Committee on the Rights of Persons with Disabilities, *Decision on Communication no. 64/2019*, March 2025, available [here](#).

²⁸⁸ Administrative Court of Gothenburg, Decision 4737-15, 28 June 2016.

²⁸⁹ Lag (2005:429) om god man för ensamkommande barn, available in Swedish [here](#).

organisations for guardians that also organise courses and exchange views and experiences. Both established NGOs in the field of asylum and the Swedish Migration Agency offer courses for guardians.

In several reports, children have voiced that the qualities of the legal guardians vary, in terms of commitment, support provided and knowledge of the asylum procedure.²⁹⁰

The law also requires that legal counsel be appointed promptly for unaccompanied children. In two legal positions, the Swedish Migration Agency specifies the requirements to be appointed as a public counsel when the case involves children. The person must have knowledge of children in the migration process and should have experience representing children in migration cases.²⁹¹ A person may be appointed as a public counsel for a child, only if due to his or her knowledge and experience and also in other respects, the person is particularly suitable for the task. A person wishing to be considered for such appointments must provide evidence of experience representing children. The assignment requires knowledge of the Convention on the Rights of the Child and its application in Swedish law. Furthermore, knowledge of children's development and the needs and rights of children is required.²⁹²

177 unaccompanied children sought asylum in Sweden in 2025.

Country of origin	Number of unaccompanied child applicants
Syria	23
Afghanistan	19
Somalia	9
Morocco	21
Eritrea	23
Ethiopia	17
Total	177

Source: Swedish Migration Agency, *Inkomna ansökningar om asyl, 2025*, available in Swedish: [here](#).

E. Subsequent applications

Indicators: Subsequent Applications

- Does the law provide for a specific procedure for subsequent applications? Yes No
- Is a removal order suspended during the examination of a first subsequent application?
 - ❖ At first instance Yes, if protection grounds are raised No
 - ❖ At the appeal stage Subject to decision by the Court and pending such decision
- Is a removal order suspended during the examination of a second, third, subsequent application?
 - ❖ At first instance Yes, if protection grounds are raised No
 - ❖ At the appeal stage Subject to decision by the Court

²⁹⁰ Rädde Barnen; Lyssna på mig - barns och ungas röster om asylprocessen, 2017, available in Swedish [here](#), Swedish Government Official Report SOU 2023:40, Förbättrade möjligheter för barn att utkräva sina rättigheter enligt barnkonventionen, 23 August 2023, available in Swedish [here](#).

²⁹¹ Swedish Migration Agency, *Legal position Who can be appointed as a public counsel*, RS 003/2020, 18 May 2020, available [here](#).

²⁹² Swedish Migration Agency, *Rättsligt ställningstagande, Kvalitetskrav på offentliga biträden, RS/021/2020, 10 February 2023*, available [here](#).

When an asylum application has been rejected and the decision is final and non-appealable, there is a possibility for newly arising circumstances to be considered under the grounds of “impediments to enforcement”. Such new circumstances may give rise to a residence permit²⁹³ or, if such a permit cannot be granted, lead to a re-examination of the initial case. However, a re-examination may only be granted if the new circumstances relate to a need for international protection.²⁹⁴

Under Chapter 12 Section 18 of the Aliens Act, the Swedish Migration Agency may grant a residence permit where “new circumstances come to light that mean that:

- (1) there is an impediment to enforcement under [Article 3 ECHR or Article 33 of the 1951 Refugee Convention];²⁹⁵
- (2) there is reason to assume that the intended country of return will not be willing to accept the alien;
or
- (3) there are medical or other special grounds why the order should not be enforced”.

The Swedish Migration Agency may grant a temporary residence permit, usually valid for 13 months, or order the suspension of the removal order while they examine the application. Where the impediment is of a “lasting nature”, the applicant has resided in Sweden for three years and some other criteria are also fulfilled, however, a permanent residence permit may be granted, but this is a discretionary power.²⁹⁶ Decisions made pursuant to this provision cannot be appealed before the Migration Court and are final.

The Swedish Migration Agency can alone open an investigation of impediments of enforcement if new information has emerged that means the subsequent applicant cannot return home. The Swedish Migration Agency then has the possibility of granting the subsequent applicant a temporary resident permit, even if he or she has not written and informed the Swedish Migration Agency about impediments to enforcement. The police also have a responsibility to notify the Migration Agency if it is not possible to carry out the return to the country of origin.²⁹⁷ In such cases, the Swedish Migration Agency shall provide instructions regarding the enforcement or take other measures. Other measures could be to grant a temporary resident permit.

The standard of proof for granting a residence permit pursuant to Chapter 12, Section 18 of the Aliens Act is high. To apply, there should be no need for investigative measures or that there could be circumstances that indicate that a residence permit should not be granted.

Conversely, Chapter 12 Section 19 of the Aliens Act deals with subsequent applications invoking new circumstances where:

- (1) these new circumstances “can be assumed to constitute a lasting impediment to enforcement referred to in [Article 3 ECHR or Article 33 of the 1951 Refugee Convention];²⁹⁸ *and*
- (2) these circumstances could not previously have been invoked by the foreigner or the foreigner shows a valid excuse for not previously having invoked these circumstances”.

This requirement of providing a valid excuse or a valid reason for not presenting new circumstances at an earlier stage can in practice undermine the absolute protection of Article 3 ECHR. Cases involving a real risk of treatment mentioned in Article 3 ECHR can risk being ignored if the applicant is deemed not to have had valid reasons for not presenting the facts earlier. It is worth noting, nevertheless, that this

²⁹³ Chapter 12, Section 18 Aliens Act.

²⁹⁴ Chapter 12, Section 19 Aliens Act.

²⁹⁵ Chapter 12, Sections 1-2 Aliens Act.

²⁹⁶ Chapter 12, Section 18 - 18a Aliens Act.

²⁹⁷ Chapter 12, Section 17 Aliens Act.

²⁹⁸ Chapter 12, Sections 1-2 Aliens Act.

provision of the Aliens Act is in line with the rules laid down by Article 40(4) of the recast Asylum Procedures Directive on subsequent applications.

Much-needed guidance on the interpretation of the requirement of a valid excuse was handed down by the Migration Court of Appeal on 10 April 2019.²⁹⁹ The Court concluded that if it is considered that there are reasonable grounds to assume that a foreigner in the country to which expulsion has been ordered would be in danger of being punished with death or being subjected to corporal punishment, torture or other inhuman or degrading treatment or punishment, it is not required that the applicant shows a valid excuse in order for a subsequent application to be admitted.

Where these two cumulative criteria are met, and if a residence permit on humanitarian grounds cannot be granted, the Swedish Migration Agency must re-examine the case. *Sur place* reasons such as conversion to a new religion after a final decision can be grounds for reopening the case if there is a risk of persecution in the home country. There is no limitation in the number of subsequent applications that can be submitted, insofar as new grounds for protection are presented. A fee is also not imposed when lodging subsequent applications. However, the Swedish Migration Agency has no discretion to re-examine the application where these conditions are not met.³⁰⁰ Section 19 therefore concerns new grounds for international protection and not humanitarian grounds or practical problems in enforcing expulsion.

According to Chapter 12 Section 19(a) of the Aliens Act, the refusal of entry or expulsion order may not be enforced before the Swedish Migration Agency has decided on the question of whether there will be a re-examination or, if such re-examination is granted, before the question of a residence permit has been settled by a decision that has become final and non-appealable.

Decisions made either not to grant re-examination, or to refuse a subsequent application on the merits, can be appealed to the Migration Court and further to the Migration Court of Appeal. An appeal must be lodged within the normal time limit of 3 weeks following receipt of the negative decision. A separate decision to suspend the removal order must be made by the court to prevent the expulsion order from being carried out in the meantime (at the request of the applicant or *ex officio*). However, the first time a decision not to grant a re-examination is appealed, the appeal has automatic suspensive effect until the court decides whether to suspend the removal order. As mentioned above suspensive effect is granted to appeals against decisions to reject a subsequent application on the merits, i.e., where a re-examination has been granted.

There is no free legal aid to submit a subsequent application, nor when the subsequent application is not admitted or rejected on the merits. However, if the application is admitted for re-examination by the Swedish Migration Agency – or through a stay in the expulsion order at court level if the Swedish Migration Agency's decision is appealed – legal counsel can be appointed (see: [Regular procedure: Legal Assistance](#)). Asylum seekers can also approach NGOs for advice. However, the procedure is written and complex with statistically little chance of changing the negative decision, and applicants also have no access to free interpretation. The Swedish Refugee Law Center provides legal assistance free of charge to persons seeking to submit a subsequent application for international protection. An application is submitted on behalf of the applicant in cases where it is assessed that there are reasonable prospects for a successful outcome.³⁰¹

In 2025, a total of 7,413 subsequent applications were submitted and the Swedish Migration Agency decided on 7,091 subsequent applications. Out of them, 814 subsequent applications resulted in a residence permit being granted, and 206 subsequent applications were admitted for re-examination.³⁰²

²⁹⁹ Migration Court of Appeal, UM 12194-18, MIG 2019:5, 10 April 2019, available in Swedish [here](#).

³⁰⁰ Chapter 12, Section 19 Aliens Act.

³⁰¹ For more information, see [here](#).

³⁰² Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#), and information provided by the Migration Agency's statistics unit.

The main countries of origin of applicants lodging a subsequent application were Iran (860); Iraq (612); Afghanistan (523); Uzbekistan (378) and Russia (307).³⁰³

F. The safe country concepts

Indicators: Safe Country Concepts

- | | | |
|--|---|-----------------------------|
| 1. Does national legislation allow for the use of “safe country of origin” concept? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Is there a national list of safe countries of origin? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Is the safe country of origin concept used in practice? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Does national legislation allow for the use of “safe third country” concept? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ Is the safe third country concept used in practice? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Does national legislation allow for the use of “first country of asylum” concept? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

1. Safe country of origin

In May 2021, Sweden implemented the Asylum Procedures Directive’s provision regarding safe countries of origin in its national legislation.³⁰⁴ The legislation process was initiated after the CJEU judgement in *A v Migrationsverket*,³⁰⁵ where the court stated that the Migration Agency cannot reject an application as manifestly unfounded with reference to country of origin information that evidences that the asylum seeker is able to seek state protection there, if the Member State in question has not adopted rules regarding the implementation of the concept of safe country of origin.

List of safe countries of origin

The Swedish Migration Agency is responsible for establishing the national list of safe countries of origin. On 13 January 2025, the Swedish Migration Agency published a provision (“föreskrift”) designating the following countries as safe countries of origin (the list is the same as previously, with the deletion of Georgia):³⁰⁶

- ❖ Albania
- ❖ Bosnia and Herzegovina
- ❖ Chile
- ❖ Kosovo
- ❖ Mongolia
- ❖ North Macedonia
- ❖ Serbia

On 25 May 2021, the Swedish Migration Agency published new guidelines regarding immediately enforceable returns, including the concept of safe countries of origin.³⁰⁷ The Swedish Migration Agency also published country information reports for all countries on the national list. The country information reports are relatively short and provide general information about the country in question. All reports are updated at least once a year by the Swedish Migration Agency. The reports are available in a database for country guidance and legal governance, called LIFOS, that is provided by the Swedish Migration Agency.³⁰⁸ A description of the human rights situation and the ability to enjoy state protection in each country is also made. The reports do not provide specific information about how the Swedish Migration

³⁰³ Information provided by the Migration Agency’s statistics unit.

³⁰⁴ For further information see AIDA, *Country Report Sweden, 2021 Update*, May 2022, available [here](#), p. 64.

³⁰⁵ CJEU, judgment in case C-404/17 *A v. Migrationsverket*, of 25 July 2018, available [here](#).

³⁰⁶ Swedish Migration Agency, *Migrationsverkets föreskrifter om förteckning över säkra ursprungsländer*, MIGRFS 2025:1, available in Swedish [here](#).

³⁰⁷ Swedish Migration Agency. *Rättsligt ställningstagande RS/071/2021. Avvisning med omedelbar verkställighet till hemlandet inklusive säkra ursprungsländer*, available in Swedish [here](#).

³⁰⁸ Swedish Migration Agency, Lifos, available in Swedish [here](#).

Agency made the actual assessment to designate the country in question as safe. No references to the criteria set out in the revised Asylum Procedure Directive are made in the reports.

In 2022, the Swedish Government changed following the general elections. Before being able to form a government the now-governing parties issued an agreement, "Tidöavtalet", with a non-governing party, the Sweden Democrats, to secure their votes for Parliament. The agreement states that a review will be made of the existing regulations on safe countries of origin to allow for adding to the list countries where parts of the country can be considered safe. They also consider shifting responsibility for the list of safe countries from the Swedish Migration Agency to the Government Offices.³⁰⁹ No measures or legislative proposals have been introduced in this area.

In June 2024, the Government asked the Swedish Migration Agency to strengthen its work with the concept of safe countries of origin, with the goal to add more countries to the list of safe countries of origin. The Government required regular updates of the Swedish Migration Agency's work in this regard. The Swedish Migration Agency reported to the Government in September 2024, explaining how it developed its work with the concept of safe countries of origin, and also suggesting additional countries that, after thorough analysis, could be added to the list.³¹⁰ The Agency however holds the view that, under current legislation, it is not possible to consider a part of a country as safe, or a country safe except for certain parts of the population. It evaluates potential gains with an increased number of safe countries of origin, even when few applicants originate from the country in question, and costs for maintaining a list including more countries. The Agency concludes that it will continue develop its strategies for working with safe countries of origin and also order a number of countries of origin reports, which could, depending on the outcome, lead to further countries being considered safe.

Application of the concept of safe country of origin

Through the adoption of the concept of safe countries of origin in 2021, the Swedish Migration Agency was given increased possibilities to use accelerated procedures for asylum seekers from countries on the list. According to the Swedish legislation, the Swedish Migration Agency can expel an asylum seeker who has travelled from a safe country of origin with immediate enforcement, if the asylum application is considered to be manifestly unfounded after an individual assessment. In order to use immediate enforcement, it must also be clear that a residence permit cannot be granted on any other grounds, such as humanitarian reasons or family ties in Sweden, otherwise the application is not seen as manifestly unfounded. If grounds are presented that prevent the case from being regarded as manifestly unfounded, these will automatically be considered in the assessment. According to Swedish case law, the assessment must be clear and made without more detailed consideration.³¹¹

A decision to reject an application for a residence permit from an asylum seeker from a safe country of origin can be appealed to the Migration Court and onwards to the Migration Court of Appeal. In an appeal process, the migration courts can grant the asylum seeker a residence permit if it is determined that the country of origin is not safe for the individual in question. The Migration Court can also amend expulsion decisions from being immediately enforceable to regular, if it is determined that the criteria for immediate enforcement are not met. A court decision to merely amend the expulsion decision does not necessarily mean that a residence permit will be granted, just that the decision is not immediately enforceable. Decisions from the Swedish Migration Agency to include a specific country on the list of safe countries cannot, however, be appealed.

The Swedish Migration Agency considers that public counsel, as a main rule, should not be appointed when processing asylum applications from safe countries of origin. However, exceptions can be made for

³⁰⁹ Swedish Refugee Law Center. *Asylrättscentrums analys av Tidöavtalet*, available in Swedish [here](#).

³¹⁰ Swedish Migration Agency, Redovisning av uppdrag 5 i regleringsbrevet för 2024 – Förstärka arbetet med säkra ursprungsländer, 1.1.1-2024-11660. Not available online.

³¹¹ See for example Migration Court Of Appeal, Decision MIG 2006:7, 30 October 2006, available in Swedish [here](#), MIG 2010:22, 22 December 2010, available in Swedish [here](#), MIG 2014:22, available in Swedish [here](#).

people who face special difficulties in exercising their rights.³¹² Asylum seekers from safe countries of origin do not usually have the right to work in Sweden while their asylum applications are being processed.

According to a study carried out by the Swedish Refugee Law Center with support from UNHCR,³¹³ 37 decisions with immediate enforcement were made regarding asylum seekers from countries on the list during the first three months after its introduction. During the period under review, decisions with immediate enforcement were made regarding asylum-seekers from four of the countries on the Swedish list of safe countries of origin: Georgia (18 decisions), Mongolia (9 decisions), Albania (6 decisions) and Serbia (4 decisions). In the study, 12 of the decisions concerned families with children. A total of 22 children were affected by decisions with immediate enforcement.

In the study, questions were raised about whether the asylum seekers in all cases had had a real chance to rebut the presumption that the country in question was safe. Concerns were also raised since the threshold for considering an application as manifestly unfounded seemed to be lower in cases regarding safe countries of origin than what follows from previous Swedish case-law. It was also noted that public counsel was appointed only in very few cases and that the assessment of children's own reasons for entitlement to a residence permit, and the best interest of the child, were very standardised in many cases.

2. Safe third country

The "safe third country" concept is a ground for inadmissibility in Sweden (see [Admissibility Procedure](#)). There is no national list of safe third countries. However, following the large influx of arrivals in 2015, the (then) Swedish Government publicly announced that it would appreciate the development of common standards within the EU in this regard. The inquiry published on 24 November 2025, concerning Sweden's implementation of the Pact, proposes that Sweden, in accordance with Article 64(1) of the Asylum Procedures Regulation, should be entitled to designate safe third countries and safe countries of origin at national level, in addition to those designated at EU level. Consequently, the existing authorisation to establish a national list of safe countries of origin should be retained and extended to also cover safe third countries. It is further proposed that an explanatory reference to the provisions on the designation of such countries contained in the Asylum Procedures Regulation be incorporated into the Aliens Act. The final Government Bill is expected to be presented on 26 March 2026.³¹⁴ Practice shows that the safe third country concept is regularly applied by the Swedish Migration Agency.³¹⁵

2.1. Safety criteria

Chapter 5, Section 1b(3) of the Aliens Act provides that an application may be dismissed if the applicant can be returned to a country where they:

- ❖ Does not risk being subjected to persecution;
- ❖ Does not risk suffering the death penalty or being subjected to corporal punishment, torture or other inhuman or degrading treatment or punishment;
- ❖ Is protected against being sent on to a country where they do not have equivalent protection,
- ❖ Has the opportunity to apply for protection as a refugee.

In a legal opinion issued in April 2021, and revised in March 2025, the Swedish Migration Agency provides details on the application of the safe third country concept. The opinion details that the possibility of applying for refugee status in a third country should not only exist formally but also be observed in practice.

³¹² Swedish Migration Agency. *Rättsligt ställningstagande RS/071/2021. Avvisning med omedelbar verkställighet till hemlandet inklusive säkra ursprungsländer*, available in Swedish [here](#), pp. 12-13.

³¹³ Swedish Refugee Law Center. *Rättsäkerheten och säkra ursprungsländer*, available in Swedish with an English summary [here](#).

³¹⁴ Migrations- och asylopakten, DS 2025:30, vol 1, p. 377, available in Swedish [here](#)

³¹⁵ Swedish Migration Agency, Statistics, 18 January 2023, available [here](#)
Swedish Refugee Law Center, *Rättsäkerheten och säkra ursprungsländer*, available in Swedish with an English summary [here](#).

Accordingly, the country must fulfil the requirements of a fair asylum system, effective remedies, and protection from removal where risks of *refoulement* are invoked, on the basis of available country information.³¹⁶

2.2. Connection criteria

Chapter 5, Section 1b(3) of the Aliens Act also requires a connection to the country concerned that makes it reasonable for them to travel there. An application may not be dismissed if:³¹⁷

- ❖ The applicant has a spouse, a child or a parent who is resident in Sweden and the applicant does not have equally close family ties to the country to which a refusal-of-entry or expulsion order may be enforced; or
- ❖ The applicant, because of a previous extended stay in Sweden with a residence permit or right of residence, has acquired special ties to this country and lacks such ties or ties through relatives to the country to which a refusal-of-entry or expulsion order may be enforced.

3. First country of asylum

The concept of first country of asylum is a ground for inadmissibility (see [Admissibility](#)).³¹⁸ A country can be considered to be a first country of asylum for a particular applicant for asylum if:

- (a) They have been recognised in that country as a refugee and they can still avail themselves of that protection; or
- (b) They otherwise enjoy sufficient protection in that country, including benefiting from the principle of *non-refoulement*; provided that they will be re-admitted to that country.

In a legal opinion issued in April 2021, the Swedish Migration Agency provides details on the application of the first country of asylum concept. It notes that refugee status in another country must be valid and that entry to that country must be possible at the time the Agency takes a decision on the application in Sweden. More importantly, the Swedish Migration Agency considers that the requirement of protection from *refoulement* renders it difficult to apply the first country of asylum concept to statuses other than refugee status.³¹⁹

G. Information for asylum seekers and access to NGOs and UNHCR

1. Provision of information on the procedure

Indicators: Information on the Procedure

1. Is sufficient information provided to asylum seekers on the procedures, their rights and obligations in practice? Yes With difficulty No
- ❖ Is tailored information provided to unaccompanied children? Yes No

The official language of Sweden is Swedish, and all official decisions and judgments are written in Swedish. The Swedish Migration Agency shall provide a one-day mandatory introduction training on the Swedish society to all asylum-seekers who are 15 years or older. The training shall include information on the asylum process, Swedish legislation, the rights of the child, democracy, gender equality and honour-related violence. Children under 15 years shall be given the same information in writing.³²⁰ The 1994 Ordinance on the Reception of Asylum Seekers states that the Migration Agency must inform the

³¹⁶ Migration Agency, *Rättsligt ställningstagande angående avvisning av ansökan om uppehållstillstånd med stöd av 5 kap. 1 b § utlänningslagen*, RS/065/2021 (version 2.0), 13 March 2025, available in Swedish [here](#), p. 10.

³¹⁷ Chapter 5, Section 1b(3) Aliens Act. See also Migration Court of Appeal, UM 3266-14, MIG 2015:12, 20 August 2015, available [here](#).

³¹⁸ Chapter 5, Section 1b(2) Aliens Act.

³¹⁹ Migration Agency, *Rättsligt ställningstagande angående avvisning av ansökan om uppehållstillstånd med stöd av 5 kap. 1 b § utlänningslagen*, RS/065/2021, 23 April 2021, available in Swedish [here](#), 8ff.

³²⁰ Regleringsbrev 2021 Migrationsverket.

applicants of organisations that provide services to asylum seekers.³²¹ There is also information in around 25 languages available through the Migration Agency on various aspects of the asylum procedure. This information is available on the website,³²² and occasionally in printed form or in booklets at reception centres. Special efforts have been made to take into account the needs of information of illiterate persons by frequently using audio-visual methods. Furthermore, there are videos providing information in sign languages. Also, the website enables persons to have the text read out to them in Swedish, English, Spanish or Arabic.

The Swedish Migration Agency has also produced material for children both unaccompanied and in families, explaining to them the asylum procedure in seven different languages.³²³ Reception centres for asylum seekers also have leaflets available in a number of languages on the various aspects of the procedure, as well as on conditions of reception. Videos explaining various procedures has been produced by the Migration Agency in cooperation with NGOs. These videos are available in 6 languages and are accessible from the Swedish Migration Agency's website.³²⁴ There is also written information in up to 25 languages corresponding to languages understood by the main nationalities of asylum seekers arriving in Sweden in recent years (Syria, Somalia, Eritrea, Kosovo, Afghanistan, Iraq, Albania, Serbia, Ukraine, Egypt, Pakistan, Mongolia, Russia, Georgia, Ukraine, Nigeria, Türkiye, Ethiopia, Morocco, Azerbaijan and Iran).³²⁵

The Swedish Migration Agency has held web events on Facebook or other platforms where applicants or the public may ask their questions to experts from the Migration Agency.

The Swedish Migration Agency has also produced leaflets in the above languages containing specific information on the Dublin III Regulation, namely on the Dublin criteria determining the Member State responsible,³²⁶ as well as on Dublin procedures followed after a country other than Sweden has been deemed responsible.³²⁷ There is also a specific leaflet for unaccompanied minors regarding the Dublin Regulation, as per Article 4(3) of the Dublin III Regulation.³²⁸

Furthermore, at every stage of the asylum procedure, caseworkers have a duty to explain in their meetings with applicants the next stage of the procedure to each applicant. After a refusal at the first instance, each applicant is summoned to a meeting at the nearest office of the Swedish Migration Agency to discuss their situation and to be provided with information on the possible future outcomes of their case.

Information is also provided by NGOs, notably by the Swedish Network of Refugee Support groups (FARR), which published on its website a 152-page booklet entitled *Goda Råd* (Good Advice), updated in May 2022, available in several languages.³²⁹ This information on the entirety of the procedure focuses on what asylum seekers can do themselves to contribute to a fair process and contains links to other NGOs in Sweden. This information is available and can be downloaded in English, Swedish, Arabic, Russian, Spanish and Persian. The Swedish Refugee Law Center (asylrattscentrum.se) and the Swedish Section of Amnesty International (amnesty.se) also provide online information in a number of languages which is of relevance to asylum seekers.

³²¹ Ordinance on the reception of asylum seekers, Section 2a

³²² Migration Agency, *Protection and Asylum in Sweden*, available [here](#).

³²³ Migration Agency, *For Children*, available [here](#).

³²⁴ Migration Agency, *Att söka asyl i Sverige och om livet här – filmer för yngre barn*, available [here](#).

³²⁵ Migration Agency, *Other languages*, available [here](#).

³²⁶ Migration Agency, *"I have asked for asylum in the EU – which country will handle my claim?"*, available [here](#).

³²⁷ Migration Agency, *"I am in the Dublin procedure – what does this mean?"*, available [here](#).

³²⁸ Migration Agency, *Children asking for international protection - Information for unaccompanied children who are applying for international protection pursuant to article 4 of Regulation (EU) No 604/2013*. accessible upon request to the Swedish Migration Agency. See also information on the Dublin procedure on the website of the Swedish Refugee Law Centre for adults [here](#). Both websites are available in many languages.

³²⁹ FARR, *Good Advice for Asylum Seekers in Sweden*, May 2022, available [here](#).

Information is also available at the detention centres to which UNHCR and NGOs have access. All detention centres have computers available with internet access for all detainees. Legal counsels also have an obligation to provide information on the asylum procedures to the client. A number of NGOs visit detention centres on a regular basis and are involved in a dialogue with the Migration Agency regarding the scope and routines for offering this service.

2. Access to NGOs and UNHCR

Indicators: Access to NGOs and UNHCR

1. Do asylum seekers located at the border have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
2. Do asylum seekers in detention centres have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
3. Do asylum seekers accommodated in remote locations on the territory (excluding borders) have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No

The Swedish Red Cross offers information and legal advice support on asylum and family reunification cases through a free-of-charge number (+46 20 415 000), email, online form or during personal meetings. Swedish Red Cross lawyers, based in Stockholm, Malmö and Gothenburg, can act as legal counsel, mostly in cases within Red Cross prioritised areas such as family reunification and protection needs due to the risk of torture or other forms of ill-treatment.

The Swedish Refugee Law Center provides advice and individual case support in asylum and family reunification cases. This includes legal advice through a free-of-charge number (+46200-88 00 66), email (info@asylrattscentrum.se) and via their website (www.asylrattscentrum.se), acting as legal counsels in proceedings at the Swedish Migration Agency, the Migration Courts and in international processes. Other NGOs offering advice and support to asylum-seekers include RFSL, Amnesty International, Stockholms Stadsmission and Caritas Sweden.

Some refugee groups have established their own organisations to support asylum seekers. One such organisation is *Ensamkommandes förbund*, an association formed by and for unaccompanied and newly arrived children and young adults. Through this association, unaccompanied children have organised to provide guidance, advice, and support to newly arrived unaccompanied children.³³⁰

UNHCR has an office in Stockholm, covering the Nordics and the Baltics. UNHCR's operations in Sweden are primarily focused on advocacy and capacity building efforts. The UNHCR office often refers asylum-seekers to NGOs in the respective countries of their operation for individual counselling.

³³⁰ Ensamkommandes Förbund webpage, available [here](#).

H. Differential treatment of specific nationalities in the procedure

Indicators: Treatment of Specific Nationalities

1. Are applications from specific nationalities considered manifestly well-founded? Yes No
❖ If yes, specify which: The Swedish Migration Agency does not have a specific list of such nationalities,³³¹ see more information in “Track 1”.
2. Are applications from specific nationalities considered manifestly unfounded?³³² Yes No
❖ If yes, specify which: Albania, Bosnia and Herzgovina, Chile, Georgia, Kosovo, Mongolia, North Macedonia, Serbia

In 2025, the number of first-time applications was 6,737, a decrease from 9,634 applications in 2024. Most first-time applications were lodged by nationals of Afghanistan (707), Syria (544), Iran (372), Iraq (329) and Eritrea (294).³³³

At first instance, the in-merit protection rate was 35%, a decrease from 40% in 2024. The recognition rates for major countries of origin were as follows: 70% for Afghans, up from 64% in 2024; 51% for Syrians, down from 84 % in 2024; 33 % for Iranians, up from 28 % in 2024; 32 % for Iraqis, up from 23 % in 2024; and 79% for Eritreans, up from 78% in 2024.

In 2020, there was a significant decrease in the recognition rate for Syrians as a result of a change in the Swedish Migration Agency’s assessment of the security situation in the country. In 2022, the Swedish Migration Agency continued to consider that the security situation in the internal armed conflict was not such that each and every person coming from several provinces in Syria was in need of international protection, in accordance with Article 15(c) of the Qualification Directive, and that an individual assessment of the applicant’s risk therefore must be made. However, it also considered that the improved security situation was not such that it could be considered as significant and non-temporary in nature in the context of determining the need for cessation.³³⁴ In 2021, the Swedish Migration Agency changed its position regarding refugee claims from Syria based on risks due to military service, as an adjustment to the CJEU case *EZ v. Germany*. In this sense, refugee status in general was granted to those who would be enrolled in military service.³³⁵ The Swedish Migration Agency maintained this position in 2025.

In July 2021, the Swedish Migration Agency decided to halt all enforcement of deportations to Afghanistan and to suspend decision-making in general in asylum cases concerning Afghans, following the Taliban regime take-over. In November 2021, the Swedish Migration Agency decided to lift the suspension of asylum decisions and stated that in general, Afghans with a deportation order would be entitled to a new examination of their protection claims.³³⁶ On 6 December 2022, the Swedish Migration Agency published an updated legal position on protection assessment regarding Afghanistan, stating that, women and girls shall be granted refugee status due to the overall discriminatory human rights violations in Afghanistan.³³⁷ Asylum claims from men and boys are assessed individually, and the Migration Agency has no general position on granting refugee status to male family members to female refugees. In September 2023, the Migration Court of Appeal published its decision MIG 2023:12, where a woman and her daughter had been granted refugee status by the Migration Court, while the son/brother was not granted refugee status, but residence permit with subsidiary protection status. The Migration Court of Appeal found that the principle of family unity does not necessitate the granting of refugee status to other family members, the

³³¹ Information provided in email from the SMA’s Digitalisation and Development unit in March 2023.

³³² Whether under the “safe country of origin” concept or otherwise.

³³³ SMA Monthly report December 2025.

³³⁴ Migration Agency, *Rättsligt ställningstagande – Prövningen av skyddsbehov för personer från Syrien*, RS/022/2020, November 2022, available in Swedish [here](#).

³³⁵ Migration Agency, *Rättsligt ställningstagande. Prövningen av skyddsbehov för personer från Syrien*, RS/022/2020 (version 3.0), available in Swedish [here](#).

³³⁶ Migration Agency, ‘Information regarding the situation in Afghanistan’, no longer available at the Swedish Migration Agency’s website.

³³⁷ SMA, Legal position RS/089/2021, *Prövning av skyddsbehov m.m. för medborgare från Afghanistan* (version 5.0) available in Swedish [here](#).

principle was sufficiently attained by granting him a subsidiary protection status and a thirteen-month residence permit.³³⁸

On 14 June 2024, the Swedish Migration Agency decided to lift the general suspension of enforcement to Gaza, concluding that the prevailing security situation allowed for individual assessments to be conducted.

On 22 December 2023, the Swedish Migration Agency published a legal position to re-start decision-making in ordinary asylum cases relating to Ukraine.³³⁹ The Swedish Migration Agency halted decisions in regular asylum and protection status cases, as well as deportations to Ukraine in 2022 due to the security situation in Ukraine following the Russian invasion on 24 February 2022. On 10 December 2024, the Parliamentary Ombudsman (JO) criticized the Swedish Migration Agency for their legal position to halt decisions in regular asylum and protection status cases. The critique was that the legal position lacked a time limitation and for the legal basis not being sufficiently clearly formulated. The Swedish Migration Agency was also criticized for failing to comply with a court order to resolve a specific asylum case as soon as possible.³⁴⁰ During 2025, Swedish authorities were required to revise the restrictions previously applied to the circumstances under which applications for subsidiary protection or family reunification may be granted to persons who are also covered by the Temporary Protection Directive. For further information, see the [Annex on Temporary Protection](#).

After the fall of the regime in Syria in early December 2024, the Swedish Migration Agency decided to halt all deportations and decisions on asylum applications regarding Syrian nationals. This decision expired on 10 March 2025. The Director of Legal Affairs subsequently assessed that enforcement activities could be resumed, while decision-making should continue to remain suspended. On 11 September 2025, the suspension of decision-making was also lifted, and the Swedish Migration Agency resumed both decision-making and return operations to Syria.³⁴¹

Applicants from countries with a recognition rate below 15% are presumed to have their cases treated under the accelerated procedure ("Track 4B") even if cases are individually assessed before being placed in this procedure. The countries currently listed are: Albania, Algeria, Armenia, Bolivia, Bosnia and Herzegovina, Brazil, Chile, Cuba, Georgia, India, Israel, Kosovo, North Macedonia, Mexico, Moldova, Mongolia, Peru, Serbia, South Africa, Thailand, USA, and Vietnam³⁴² (see section on [Accelerated Procedure - Interview](#)).

³³⁸ Case MIG 2023:12 available online at: [Mål: UM 1579-23 - Migrationsöverdomstolen vid Kammarrätten i Stockholm](#)

³³⁹ Rättsligt ställningstagande. Prövning av skyddsbehov för medborgare från Ukraina - RS/009/2023 at Dokument - Lifos extern, available [here](#).

³⁴⁰ The the Parliamentary Ombudsman. Kritik mot Migrationsverket för utformningen av ett beslutsstopp för asylansökningar rörande medborgare i Ukraina och för att inte ha följt ett föreläggande från domstol om att snarast avgöra ett ärende, 2024-12-10, available in Swedish [here](#).

³⁴¹ Migrationsverket, Rättsligt ställningstagande. Prövning av skyddsbehov och verkställigheter för personer hemmahörande i Syrien - RS/007/2024, 2025-03-10, available [here](#). Also decision RA/068/2025, on the assessment of protection needs and enforcement measures for persons originating from Syria, lifting RS/007/2024, communicated by the Swedish Migration Agency via email in February 2026.

³⁴² The Swedish Migration Agency, VÄGLEDNING Lista över länder och lägsta idkategorisering för sortering i spår 4B Dnr: 1.2.2.2-2024-6176, 7 May 2021, revised 22 April 2024.

Reception Conditions

Short overview of the reception system

In Sweden, the Swedish Migration Agency is responsible for the reception of asylum seekers. It provides temporary accommodation while awaiting the decision on the application for international protection. The Swedish Migration Agency will cover the costs of accommodation if the applicant does not have enough resources.

The first step in the Government's reform of the reception system entered into force on 1 March 2025 for individuals submitting a new asylum application, and on 1 September 2025 for those already registered in the reception system. Prior to this, applicants had generally been free to choose and arrange their own accommodation if they did not wish to reside in facilities operated by the Swedish Migration Agency. From the dates above, however, residence in a designated reception centre became a condition for receiving the daily allowance. This is the initial phase in realizing an aim that parties in Government and the Sweden Democrats expressed in the Tidö Agreement on 14 October 2022, which is to end asylum seekers' rights to arrange their own accommodation. The intention is forming a system where asylum seekers must stay in accommodation centres run by the Swedish Migration Agency and an increased monitoring of asylum seekers during the asylum process and in return procedures. There is, therefore, an ongoing process to shift from offering housing in shared flats to rooms in accommodation centres. This change in policy, and the planned steps to realize it, is further described below.

Unaccompanied minors are being channelled to a local municipality which is then responsible for the reception of the minor. No changes are announced in that regard.

The right to accommodation starts as soon as an application for international protection is made.. The right to accommodation ends if the asylum seeker leaves the country, when the deadline for voluntarily departure has expired or, if no deadline is granted, once the deportation order has become final. This applies to all adults and persons not living with underaged children. Families with children and unaccompanied children may continue to live in the temporary accommodations provided by the Swedish Migration Agency and to benefit from the right to financial support until they leave Sweden or until they have deregistered from the reception system.

As for beneficiaries of international protection who are granted a protection status by the Swedish Migration Agency and who do not secure housing for themselves, they will be referred to a municipality who will then become responsible for arranging housing. The municipality becomes responsible two months at the latest after it has been designated and the beneficiary can remain in the Swedish Migration Agency reception centre until responsibility has transferred to the municipality. However, if the beneficiary declines the offer of moving to the designated municipality the beneficiary must immediately arrange for their own housing.³⁴³

The accommodation provided to asylum seekers by the Swedish Migration Agency generally takes the form of reception centre housing. Families are always given a room of their own. Single people can share a room with others of their same sex. For applicants with special needs, the Swedish Migration Agency will try to arrange an adapted living situation. People are entitled to accommodation adapted to their needs, but how this is applied may vary depending on their specific needs and the type of accommodation available. Examples of persons who may be entitled to adapted accommodation include individuals with disabilities, those suffering from physical or mental illnesses, and persons who are LGBTQI, pregnant, or elderly.³⁴⁴

³⁴³ The Swedish Migration Agency, 'Bosättning i en kommun', available in Swedish [here](#).

³⁴⁴ The Swedish Migration Agency, 'Accommodation – asylum, available [here](#).

A. Access and forms of reception conditions

1. Criteria and restrictions to access reception conditions

Indicators: Criteria and Restrictions to Reception Conditions

1. Does the law allow for access to material reception conditions for asylum seekers in the following stages of the asylum procedure?
- | | | | |
|---------------------------|---|---|-----------------------------|
| ❖ Regular procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Dublin procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Admissibility procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Border procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Accelerated procedure | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ First appeal | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Onward appeal | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
| ❖ Subsequent application | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> Reduced material conditions | <input type="checkbox"/> No |
2. Is there a requirement in the law that only asylum seekers who lack resources are entitled to material reception conditions? Yes No

In Sweden, all asylum applicants have access to the benefits of the reception system, allowing them to access housing and a daily allowance. An exception applies to certain applicants since 2016 (e.g., persons subject to a deportation order etc.), as is explained further below. If they have resources, applicants are required to use these first, as the provision of reception conditions is conditional upon a lack of sufficient resources. Even if the financial allowance is restricted, a person will still have a right to accommodation.

Upon the lodging of the asylum application, the Swedish Migration Agency reception officer enquires about the applicant's financial situation.³⁴⁵ An asylum seeker who wants to receive a daily allowance must apply for it in writing. The application must contain an explanation that the information provided in the application is correct.³⁴⁶ Anyone who has been granted a daily allowance is obliged to report changed income and other conditions that may affect the right to or the amount of the aid.

A daily allowance should only be paid to a foreigner who does not have sufficient funds. An individual assessment must be made. If applicants have or obtain cash, bank deposits, or other assets that are easily converted into cash and cash equivalents, they must primarily use these for their livelihood. The applicants' ability to use any assets that exist in another country for their daily life should also be considered. Such an individual needs test is a prerequisite for the application of the provisions on reduction of the daily allowance.³⁴⁷ The Supreme Administrative Court has ruled that the Swedish Migration Agency may revoke a decision to grant a daily allowance or reduce the allowance if it is later proven that the applicant has personal financial resources.³⁴⁸

Following an amendment to the Reception of Asylum Seekers Act (LMA) introduced in 2016, some applicants no longer have the right to reception conditions when they have received a decision on deportation which can no longer be appealed, or whose period for voluntary return has ended (they are then no longer formally considered to be asylum applicants). This is the case for adult applicants without children who then lose their right to reception conditions (i.e. the right to a daily allowance and accommodation provided by the Swedish Migration Agency). Adult applicants always have the right to emergency health care (health care that cannot be deferred, maternal healthcare, healthcare related to

³⁴⁵ Section 17, Law on Reception of Asylum Seekers and Others, 1994:137.

³⁴⁶ Section 8 förordningen (1994:361) om mottagande av asylsökande m.fl.

³⁴⁷ Section 15, Law on Reception of Asylum Seekers and Others, 1994:137.

³⁴⁸ The Supreme Administrative Court of Sweden [Högsta förvaltningsdomstolen] Case no HFD 2023 ref 3. English summary of the case available [here](#).

abortion and health care in relation to contraception).³⁴⁹ If they refuse to leave their accommodation at that point, they may be forcibly removed and be subjected to criminal sanctions.³⁵⁰

If a family is in a similar situation the adult is entitled to a reduced allowance, whereas the children are still allowed standard allowance. The family will also keep their right to accommodation. The restrictive changes introduced in 2016 have left many persons destitute and homeless or reliant on support from individuals or civil society organisations. These restrictive changes have led to criticism from civil society, as organisations such as the Red Cross have pointed out that the reform has led more people to turn to civil society organisations to ask for assistance with accommodation, food and health care.³⁵¹ A public inquiry looking into the reception of asylum seekers evaluated the mentioned changes from 2016 and found that it didn't meet the set goals. The inquiry concluded that the amendment did not serve as an incentive for return but rather had the opposite effect to what was intended. The statistical estimates presented by the inquiry indicated that the incentives for asylum seekers who had received a return decision to leave the country voluntarily had, in fact, decreased following the legislative amendment, compared to the likelihood prior to the amendment.³⁵² The changes from 2016 are therefore suggested to be reversed from August 2026, making adult applicants without children eligible for a daily allowance even if, for example, they have overstayed the period for voluntary departure.³⁵³

In cases where it is considered "obviously unreasonable" to cease the right to reception conditions, the right to such conditions will not cease and particularly vulnerable persons can therefore be exempted.³⁵⁴

If an applicant does not cooperate with regards to a transfer according to the Dublin Regulation, a decision is usually made to reduce the daily allowance to the asylum seeker because of their unwillingness to cooperate.³⁵⁵

Families who have left Sweden for another EU country and are returned according to the Dublin Regulation have no right to re-access accommodation or other forms of reception conditions from the Swedish Migration Agency.

The restricted access to reception conditions apply until a person is again considered to fall within the scope of the LMA. This can happen after a subsequent application is handed in but only if a person is granted a re-examination or receives a stay of enforcement decision. An expulsion order is valid for four years. After four years it is possible to apply for asylum again. At this point the applicant will once again fall within the scope of the LMA and will hence have access to reception conditions without restrictions.

Another situation where a person in need of protection may be excluded from the benefits of the reception system is where the applicant already has a residence permit in Sweden but wants to be granted protection status. The Supreme Administrative Court has found that in such situations the persons do not fall within the scope of LMA and thus cannot claim assistance for accommodation and allowances for asylum applicants.³⁵⁶

³⁴⁹ Section 7, Law (2013: 407) on health care for certain foreigners staying in Sweden without the necessary permits (Lag (2013:407) om hälso- och sjukvård till vissa utlänningar som vistas i Sverige utan nödvändiga tillstånd).

³⁵⁰ Sections 11-12a, Law on Reception of Asylum Seekers and Others, 1994:137.

³⁵¹ Sections 11-12a, Law on Reception of Asylum Seekers and Others, 1994:137; Swedish Red Cross, *Consequences of the amendment to Sweden's Reception of Asylum Seekers Act, 2016*, available in Swedish [here](#); VSIU, *Report about Legal Uncertainties in the Asylum Process For Unaccompanied Minors in Sweden*, 26 February 2018, available [here](#); *Rapport om rättsosäkerhet i asylprocessen för ensamkommande barn och unga*, September 2017, available in Swedish [here](#).

³⁵² Mottagandelagen. En ny lag för ordnat asylmottagande och effektivt återvändande (SOU 2024:68) chapter 6, available in Swedish [here](#).

³⁵³ Mottagandelagen. En ny lag för ordnat asylmottagande och effektivt återvändande (SOU 2024:68) chapter 6, available in Swedish [here](#).

³⁵⁴ Sections 11, Law on Reception of Asylum Seekers and Others, 1994:137.

³⁵⁵ The Reception Act (1994:137) Section 10.

³⁵⁶ HFD 2022 ref. 40, 13 October 2022, available in Swedish [here](#).

In 2020, new rules were implemented for asylum-seekers who choose to settle in so-called socio-economically challenged areas. These persons are no longer entitled to a daily allowance.³⁵⁷ The aim with this measure was to combat segregation and encourage more asylum-seekers to settle in areas with better prospects. Municipalities can report if certain areas or the whole municipality is “socio-economically” challenged. The Government decides which areas may be considered as “socio-economically challenged”.³⁵⁸ The legislation covers 32 municipalities.³⁵⁹

Reports from the Swedish Migration Agency indicate that this legislative change did not result in a change of practice yet, as asylum seekers continue to settle in “socio-economically challenged areas”.³⁶⁰ In 2024, 4,367 asylum seekers settled in such areas.³⁶¹ In 2023, 1,556 asylum seekers were denied daily allowance based on them living in a “socio-economically challenged area”.³⁶² In 2024 the number fell to 1,051.³⁶³

The Government has implemented the first step in its reform of the reception system, moving towards a system in which asylum seekers are obliged to reside in accommodation centres operated by the Swedish Migration Agency. The legislative amendments entered into force on 1 March 2025 for individuals who submitted a new asylum application, and on 1 September 2025 for those already registered within the reception system.

The amendments provide, *inter alia*, that asylum seekers are entitled to a daily allowance only if they reside in the accommodation centre to which they have been assigned, and that an asylum application may be deemed withdrawn if the applicant fails to register their address or maintain contact with the Swedish Migration Agency. The legislation further grants the Swedish Migration Agency expanded powers to verify whether an asylum seeker is in fact residing in the designated accommodation and is therefore eligible for a daily allowance. In addition, asylum seekers are obliged to participate in classes regarding Swedish society.

In October 2024, a report from an inquiry was circulated for comments. The inquiry had, among other issues, investigated measures to ensure that asylum seekers will live, in practice, only in centres run by the Swedish Migration Agency.³⁶⁴ The report proposes a new law on the reception of asylum seekers, incorporating part of the new recast Reception Conditions Directive (2024/1346).³⁶⁵ The main changes are restrictions of the right to movement of asylum seekers and person with deportation orders. They will be obliged to stay in the centre in which they're assigned a place to get daily allowance. Asylum seekers will also need to attend controls that will ensure their presence at the centre and to stay in the area where the centre is located, with some exceptions. The daily allowance will be slightly increased as the report finds an increase necessary to align Swedish law with the EU *acquis*. The final government bill was submitted on 2 April 2026, but Parliament has not yet voted on the proposed legislation as of the date of writing this report. The legislation is suggested to enter into force in October 2026.

³⁵⁷ Section 10a, Law on Reception of Asylum Seekers and Others, 1994:137.

³⁵⁸ See section 10 a, Law on Reception of Asylum Seekers and Others, 1994:137.

³⁵⁹ Förordning (2018:151) om statsbidrag till kommuner med socioekonomiskt eftersatta områden Svensk författningssamling 2018:2018:151 t.o.m. SFS 2020:1266 - Riksdagen, available in Swedish [here](#). To check whether an area is considered “socio-economically challenged” it is possible to use this site, [here](#).

³⁶⁰ SVT, *Migrationsverket ser ingen tydlig effekt av nya ebo-lagen*, available in Swedish [here](#).

³⁶¹ Information received on 11 of January 2023 from the Statistics Unit at the Swedish Migration Agency via e-mail.

³⁶² Information received on 5 February 2024 from the Statistics Unit at the Swedish Migration Agency via e-mail.

³⁶³ Information received on 24 February 2025 from the Statistics Unit at the Swedish Migration Agency via e-mail.

³⁶⁴ Mottagandelagen. En ny lag för ordnat asylmottagande och effektivt återvändande (SOU 2024:68), available in Swedish [here](#).

³⁶⁵ Directive (EU) 2024/1346 of the European Parliament and of the Council of 14 May 2024 laying down standards for the reception of applicants for international protection.

2. Forms and levels of material reception conditions

Indicators: Forms and Levels of Material Reception Conditions

1. Amount of the monthly financial allowance/vouchers granted to single adult asylum seekers as of 31 December 2025 (in original currency and in €): SEK 2,130 / €198.92³⁶⁶

Financial allowance

The monthly amounts of financial allowances differ for applicants staying in accommodation centres where food is provided free of charge (and the allowance only covers pocket money), and applicants staying in other accommodation (where the allowance should also cover food).

In any event, beyond food, the allowance should be able to cover clothes and shoes, medical care and medicine, dental care, toiletries, other consumables and leisure activities. If asylum seekers are granted a daily allowance by the Migration Agency, they receive a bank card where the money is deposited.

The levels of financial allowance per day have not been raised since 1994 and are as follows:³⁶⁷

Category of applicant	Allowance in accommodation centres with food provided	Allowance in private accommodation
Single adult	SEK 24 / € 2.24	SEK 71 / € 6.63
Adults sharing accommodation	SEK 19 / €1.77 per person	SEK 61 / € 5.70 per person
Child aged 0-3	SEK 12 / € 1.12	SEK 37 / € 3.46
Child aged 4-10	SEK 12 / € 1.12	SEK 43 / € 4,02
Child aged 11-17	SEK 12 / € 1.12	SEK 50 / € 4.67

Source: Swedish Migration Agency.

From the third child onwards, the level of financial allowance is reduced by 50%.

Some NGOs have campaigned for these levels to be adjusted to the increase in living costs and for the elimination of discrimination against third and subsequent children in relation to the amount of money that is made available, but so far nothing has changed.³⁶⁸ However, in the report of a public inquiry published in October 2024, it was suggested that the daily allowance should be raised on a yearly basis.³⁶⁹ The changes are proposed to enter into force in August 2026.

Asylum seekers can apply for a special grant for expenses that are necessary for a minimum living standard, such as cost of winter clothing, glasses, supplements, handicap equipment and infant equipment.³⁷⁰ Asylum seekers must demonstrate that they have a strong need of the item or service and that they cannot pay for it by themselves. The Migration Agency makes an individual evaluation of the need and only grants enough for the cheapest alternative which is needed to satisfy the need. The right

³⁶⁶ Conversion from SEK to EUR carried out on 21 January 2026, using the exchange rate applicable at that time. The amount applies to a single adult living in private accommodation. For asylum seekers residing in accommodation provided by the Swedish Migration Agency, the allowance is lower.

³⁶⁷ Migration Agency, 'Financial aid for asylum seekers', available in English [here](#).

³⁶⁸ Some examples are Save the Children, 'Dagersättning till flyktingar har inte höjts på 28 år – Rädda barnen: "Den är oacceptabelt låg"', 12 April 2022, available in Swedish [here](#) and 'rapport med nyanlända ensamstående mammors röster', available in Swedish [here](#). See also Swedish Red Cross, 'Ge asylsökande en ersättning som går att leva på', 13 July 2022, available in Swedish [here](#).

³⁶⁹ Mottagandelagen. En ny lag för ordnat asylmottagande och effektivt återvändande (SOU 2024:68), available in Swedish [here](#).

³⁷⁰ Migration Agency, Financial aid for asylum seekers, available [here](#).

to a special grant may be affected if the asylum seeker moves to their own accommodation in an area that a municipality has reported as an area with social and economic challenges.

The allowance for asylum seekers is considerably lower than the allowance for settled persons in need of social assistance, which covers similar areas of support. The following table relating to the amount of the monthly social welfare allowance as of January 2026 illustrates this difference:

Category	Asylum seekers in private accommodation	Settled persons on social welfare
Single adult	SEK 2,130 / € 198.92	SEK 5,220 / € 487.49
2 adults	SEK 3,660 / € 341.80	SEK 8,510 / € 794.73
1 adult 1 child (aged 2)	SEK 3,240 / € 302.85	SEK 8,410 / € 785.39
1 adult 2 children (aged 2-5)	SEK 4,530 / € 432.05	SEK 11,850 / € 1,106.65
2 adults 2 children (aged 5-12)	SEK 6,160 / € 575.27	SEK 16,580 / € 1,548.38
2 adults 3 children (aged 2-5-12)	SEK 7,020 / € 655.58	SEK 19,940 / € 1,862.16
2 adults 4 children (aged 12-14-15-17)	SEK 8,160 / € 762.05	SEK 28,440 / € 2,655.96

Sources: National Social Welfare Board, 1 January 2026; Swedish Migration Agency.

3. Reduction and withdrawal of material reception conditions

Indicators: Reduction or Withdrawal of Reception Conditions

- Does the law provide for the possibility to reduce material reception conditions?
 Yes No
- Does the law provide for the possibility to withdraw material reception conditions?
 Yes No

Under the LMA, an asylum seeker's economic allowance can be reduced for adults if they have personal financial resources. The Supreme Administrative Court has ruled that the Migration Agency may revoke a decision on daily allowance or reduce the allowance if it is later proven that the applicant has personal financial resources.³⁷¹ If an asylum seeker's financial situation changes, for example if they get a job, they must tell the Swedish Migration Agency.³⁷² Asylum seekers who have an income or who have other economic assets and who live in an accommodation provided by the Swedish Migration Agency must pay a compensation to it. It is considered a crime not to inform the Swedish Migration Agency that one has started earning money while still receiving the daily allowance.³⁷³

An asylum seeker's allowance may also be reduced for adults if they refuse to cooperate in the asylum procedure or refuse to abide by an expulsion order.³⁷⁴ A lack of cooperation may consist, e.g., in refusing to take measures to obtain identity documents or refusing to appear at arranged appointments with the Swedish Migration Agency. Persons that were not returned or deported from Sweden can thus end up living with such a low allowance for many years.

According to the LMA, the right to financial assistance ceases when there is a deportation decision that is legally enforceable and when the time limit for voluntary departure (which is usually four weeks) has

³⁷¹ The Supreme Administrative Court of Sweden [Högsta förvaltningsdomstolen] Case no HFD 2023 ref 3. English summary of the case available [here](#).

³⁷² Section 8 a, Ordinance on the Act on Reception of Asylum Seekers, 1994:361.

³⁷³ Chapter 20, Section 6, Aliens Act.

³⁷⁴ Section 10, Law on Reception of Asylum Seekers and Others, 1994:137.

expired.³⁷⁵ In 2025, there were 14,295 persons with legally enforceable removal orders registered with the Swedish Migration Agency or the Swedish Police Authority.³⁷⁶ According to Section 11 LMA, the right to financial assistance does not end if the decision on rejection or deportation cannot be enforced as a result of the Swedish Migration Agency or a court having decided on inhibition or having granted a new trial in accordance with Chapter 12, Section 19 of the Aliens Act. Section 11 LMA also states that it is possible to allow a person continued financial assistance if it is considered “obviously unreasonable” to cease this right.

A decision by the Swedish Migration Agency to reduce or cease aid may be appealed to the Administrative Court.³⁷⁷ An appeal must be submitted no later than three weeks after the person concerned was notified of the decision.

For persons who are no longer considered asylum seekers (people who have been definitely rejected from their asylum claim) a number of decisions from courts have made it difficult to access social aid.

In June 2017, the Supreme Administrative Court (*Högsta Förvaltningsdomstolen*), decided that a rejected asylum seeker who is absent or not cooperating to follow a removal decision falls under the scope of the LMA regime and therefore does not have the right to any social or emergency aid according to the Social Services Act. This applies even though the person is not entitled to any aid under the LMA. Bearing in mind that it is very hard to be considered as cooperating in the enforcement of a removal decision, the ‘cooperation criterion’ excludes all absconded families from any social aid.³⁷⁸

In June 2018, the Supreme Administrative Court decided on social aid for an irregularly residing migrant who had never been subject to the LMA regime. According to the court, applicants for social aid who are in an irregular situation have the right to emergency aid, and in extraordinary situations the aid can even exceed that threshold. In this case, such an extraordinary situation applied as the applicant could not be deported because he was subject to forensic psychiatric care, a penalty due to criminal activity. Since deportation was not an option under these circumstances, the Court concluded that the applicant should be treated in the same way as applicants who had been granted residence permits with regard to the Social Services Act.³⁷⁹

In a judgment of 2019 concerning an adult Bidoon from Kuwait, the Administrative Court of Appeal of Stockholm stated that the applicant had not taken sufficient initiatives to try and leave Sweden (e.g., obtaining a certificate from the Kuwaiti authorities stating he would not be admitted to Kuwait). His appeal concerning the right to a daily allowance and housing was therefore denied.³⁸⁰ The judgment clarifies the principle that individuals who are subject to deportation orders must actively cooperate with return efforts in order to retain access to certain benefits.

On 3 May 2021, the Supreme Administrative Court decided on whether a refusal to cooperate to leave the country is an act falling within the scope of Section 10 of the LMA, which states that aid can be reduced if a person without a valid reason refuses to cooperate to an action necessary in the process of enforcing a removal decision. The court ruled in the affirmative.

Asylum seekers that have been allowed to work during the asylum process may continue to work until they leave the country or until their decision becomes final. The right to work ceases to apply if the person does not participate in the enforcement of their decision on rejection or deportation when it has become legally binding.³⁸¹

³⁷⁵ Section 11, Law on Reception of Asylum Seekers and Others, 1994:137.

³⁷⁶ Migration Agency, *Monthly statistical report for December 2025*, Dnr: 1.1.1.2-2024-17693

³⁷⁷ Section 22, Law on Reception of Asylum Seekers and Others, 1994:137.

³⁷⁸ Supreme Administrative Court, Decision 1527–1529-16, 5 June 2017, available in Swedish [here](#).

³⁷⁹ Supreme Administrative Court, Decision 4464-17 and 6418-17, 11 June 2018, available in Swedish [here](#).

³⁸⁰ Administrative Court of Appeal of Stockholm, UM 4419-19.

³⁸¹ See Chapter 5 Section 4 the Aliens Ordinance Act (2006:97).

4. Freedom of movement

Indicators: Freedom of Movement

1. Is there a mechanism for the dispersal of applicants across the territory of the country? Yes No
2. Does the law provide for restrictions on freedom of movement? Yes No

There are no restrictions in law or practice to the freedom of movement of asylum seekers within Sweden. However, if accommodation is requested from the Swedish Migration Agency, asylum seekers are not free to choose their place of residence.³⁸² A person may be entitled to accommodation that is adapted to special needs if the person is in a particularly vulnerable situation. If a person has special needs regarding their living situation the person is requested to talk to their reception unit as soon as possible.³⁸³ The assignment to a place of residence is not made on the basis of a formal administrative decision. Asylum seekers are in many cases forced to relocate to reception centres in other cities.³⁸⁴

On 14 October 2022, the newly elected Swedish Government announced that it intended to introduce transit centres where asylum seekers would spend the entire asylum process. In October 2024, the conclusions of a public inquiry were published, and it was suggested that the freedom of movement of asylum seekers should be restricted. In particular, it proposed that all asylum seekers would need to regularly report to the Swedish Migration Agency to prove that they were living in the accommodation centre where they were assigned a place.³⁸⁵ They would also need to stay in the area where the centre is located. Exceptions could be made, making it possible not to register one's presence at the centre and to leave the designated area without risk for sanctions (e.g., the cut of daily allowance). The mentioned restrictions are based on article 7 and 8 of the new Reception Conditions Directive (2024/1346). When there's a risk for absconding or due to considerations of public order, further restrictions could be made, based on article 9 of the Directive. The Government has announced a preliminary date of 17 March 2026 for the submission of the final Government Bill. The changes are proposed to enter into force in October 2026. The proposed restrictions of the freedom of movement of asylum seekers have meet severe criticism from civil society organisation that find them unproportionate.

In 2023, the Migration Agency introduced a new kind of departure centres (återvändandecenter). The centres now have about 1,848 places in total, and are situated in Burlöv, Märsta, Malmö, Mölndal and Stockholm.³⁸⁶ Only persons that are still in the reception system can stay in a departure centre, which means that, in practice, it is mainly families with minor children that are entitled to a place in a departure centre for longer periods. Others lose their right to stay in such facilities as their deportation order becomes final or, if a period for voluntary departure is granted, this expires. The departure centres are not locked facilities; they may however have an impact on the freedom of movement. This is due to the fact that a person that is offered a place at a departure centre is no longer allowed to remain in the previous accommodation provided by the Swedish Migration Agency, meaning they either have to move to a departure centre or arrange accommodation on their own.³⁸⁷

³⁸² The Swedish Migration Agency, 'Accommodation with the Migration Agency', available [here](#).

³⁸³ The Swedish Migration Agency, 'Accommodation with the Migration Agency', available [here](#).

³⁸⁴ The Swedish Migration Agency, 'Accommodation with the Migration Agency', available [here](#).

³⁸⁵ Mottagandelagen. En ny lag för ordnat asylmottagande och effektivt återvändande (SOU 2024:68), available in Swedish [here](#).

³⁸⁶ Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).

³⁸⁷ The Swedish Migration Agency, Information about departure centres, available in Swedish [here](#).

B. Housing

1. Types of accommodation

Indicators: Types of Accommodation³⁸⁸

- | | |
|--|---------------|
| 1. Number of municipalities with reception centres: | Not available |
| 2. Total number of places in reception centres: ³⁸⁹ | 5,500 |
| 3. Total number of persons in reception centres: | 3,354 |
| 4. Total number of persons in private accommodation ³⁹⁰ : | 13,675 |
| 5. Total number of persons in other forms of accommodation: ³⁹¹ | 3,780 |
6. Type of accommodation most frequently used in a regular procedure:
 Reception centre Hotel or hostel Emergency shelter Private housing Other
7. Type of accommodation most frequently used in an accelerated procedure:
 Reception centre Hotel or hostel Emergency shelter Private housing Other³⁹²

Housing provided by the Swedish Migration Agency is, as a general rule, accommodation in reception centres. In certain cases, however, accommodation may be arranged in other forms of housing. Previously, accommodation was primarily provided in apartments within ordinary housing areas, but the Government has introduced a reform of the reception system under which the main rule going forward is that accommodation for all categories, except unaccompanied minors, is to be organised in reception centres. The accommodation often consists of a room that is shared with others. Families are always given their own room. Single people will share a room with other people of the same sex.³⁹³ If an asylum seeker chooses to live at a centre, they might need to move to a town where the Swedish Migration Agency can offer them a place. There are differences in the way material reception conditions are provided depending on the procedure (“track”) in which asylum seekers are in. For applicants in the Dublin procedure (“Track 5A”) and the Accelerated Procedure (“Track 4”), for example, accommodation is located close to airports, with the aim of speeding up a potential removal from Sweden.

If asylum seekers have financial means, although they can still access the accommodation system, they must pay for it themselves. If not, accommodation at a centre is free. The accommodation often consists of a room that is shared with others. Families are always given their own room. Single people will share a room with other people of the same sex. It is possible that asylum seekers are moved around within the centre or to another centre during the processing period.

Asylum seekers may also choose to opt for private accommodation with friends or relatives.

Should the asylum seeker choose to settle in so-called socio-economically challenged areas, the rules foresee that these persons are no longer entitled to a daily allowance (see [Criteria and restrictions to access reception conditions](#)).³⁹⁴

The total number of asylum seekers and Temporary Protection beneficiaries registered in the reception system in average during 2025 was 18,126 (down from 45,661 in 2024), of which 3,314 were living in Swedish Migration Agency accommodation, 11,483 in private accommodation and 3,329 in other forms

³⁸⁸ Migration Agency, *Monthly statistical report for December 2025*, Dnr: 1.1.1.2-2024-17693

³⁸⁹ Swedish Migration Agency, *Hur fungerar mottagnings- och återvändandecenter?*, 27 March 2026, available online in English [here](#).

³⁹⁰ Not including temporary protection beneficiaries.

³⁹¹ This includes privately placed unaccompanied minors, youth in care arrangements, persons in criminal detention and others.

³⁹² Swedish Migration Agency, ‘Annual Report 2025’, Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).

³⁹³ The Swedish Migration Agency, ‘Accommodation for asylum-seekers’, available in Swedish [here](#).

³⁹⁴ Section 10a, Law on Reception of Asylum Seekers and Others, 1994:137.

of accommodation.³⁹⁵ The large decrease compared to the previous year is due to the reform of the reception system and the increased possibility for individuals holding residence permits under the Temporary Protection Directive to register in the population register, thereby no longer falling within the Swedish Migration Agency's reception system.

The number of places in Swedish Migration Agency accommodation decreased from 13,979 in 2024 to 12,013 in 2025.³⁹⁶

The Swedish Migration Agency also operates "departure centres" for persons who have agreed to voluntarily depart to their country of origin or for Dublin cases. In 2023, the Migration Agency started a new kind of departure centre (återvändandecenter). Persons with a deportation order that has become final are offered places at a departure centre. Upon refusal to move to a departure centre one needs to arrange private accommodation.³⁹⁷ At the end of 2024, the centres had about 1,848 places in total and are situated in Burlöv, Märsta, Malmö, Mölndal and Stockholm.. It is only persons that are still in the reception system that are entitled to a place in a departure centre, in practice meaning that it is mainly families with minor children that are entitled to a place in a departure centre.³⁹⁸ Only few places in the departure centres are used, but the numbers are predicted to rise when the option to arrange private accommodation, due to announced changes (see [Housing](#)), is no longer available.³⁹⁹

2. Conditions in reception facilities

Indicators: Conditions in Reception Facilities

1. Are there instances of asylum seekers not having access to reception accommodation because of a shortage of places? Yes No
2. What is the average length of stay of asylum seekers in the reception centres? 621 days⁴⁰⁰
3. Are unaccompanied children ever accommodated with adults in practice? Yes No
4. Are single women and men accommodated separately? Yes No

Asylum seekers are mainly accommodated in private houses and apartments rented by the Swedish Migration Agency. Apartments are often located in a big apartment building and are considered as reception centres in the Swedish system.

The Swedish Migration Agency is responsible for supervising the accommodation of asylum seekers in ordinary flats in regular residential areas and to assist asylum seekers accordingly. The ordinary rules for the number of persons per room do not apply to asylum seekers, meaning that more people can live in a 3-room flat than is regularly the case when municipal authorities designate accommodation for citizens.

According to information from the Swedish Migration Agency, they assume that two people can share a room in an apartment when they assess how many places there should be in an apartment. In collective housing, there are individual assessments. But the conditions of the building and the property ultimately determine what is appropriate. The Swedish Migration Agency takes into account, among other things, escape possibilities, air flows in the ventilation, and how many people are allowed to share the kitchen and hygiene areas. When placing asylum seekers in temporary housing, the Swedish Migration Agency also makes individual assessments to find the right place. In some cases when there are special needs,

³⁹⁵ The Swedish Migration Agency, Annual Report 2024, Dnr: 1.3.2-2025-1844, available in Swedish at https://www.migrationsverket.se/download/18.2cd2e409193b84c506a346f2/1744638139545/Migrationsverket_arsredovisning_2024.pdf.

³⁹⁶ The Swedish Migration Agency information provided via e-mail from the statistical unit, April 2026..

³⁹⁷ The Swedish Migration Agency, 'Your application has been rejected - asylum', available in Swedish [here](#).

³⁹⁸ Migration Agency, "Your application has been rejected – asylum, available in Swedish [here](#).

³⁹⁹ Migration Agency, Annual Report 2024, Dnr: 1.3.2-2025-1844, available in Swedish [here](#).

⁴⁰⁰ Migration Agency, *Monthly statistical report for December 2025*, including year-end numbers, Dnr: 1.1.1.2-2024-17693. Available upon request by the Swedish Migration Agency.

it may be necessary for individuals to live alone, even though there are several places in the same room or residence.⁴⁰¹

While there are no reports of restrictions on leisure or religious activities, there are also complaints about the lack of organised activities during the asylum procedure. In some centres, *pro bono* organisations offer different activities and opportunities to learn Swedish in informal ways. The government has provided considerable funding to NGOs and educational associations to provide meaningful activities for all asylum seekers and to set up venues where asylum seekers can meet other people. Activities can be beginner's courses in Swedish, information about Swedish society and the asylum process, children's activities and outdoor activities including sports.⁴⁰²

Since 1 February 2017, the Swedish Migration Agency is no longer responsible for organising meaningful activities for asylum seekers. This has been handed over to the County administration authorities (*länsstyrelserna*) in cooperation with civil society. Early intervention regarding asylum seekers involves providing activities to men and women who are seeking asylum or who have a residence permit but still live in the Swedish Migration Agency accommodation. The aim of such measures is to accelerate the integration process while the decision on the asylum claim is pending. It includes courses on the Swedish language, Swedish society and the Swedish labour market and health system. The activities are provided by different actors in the society with financial contribution and coordination by the Country administration authorities.

The average duration of stay in reception system depends on the situation of the asylum seekers concerned:

Average duration of stay in reception system: 2025	
Category of applicant	Average stay (days)
Persons returning voluntarily	469
Persons forcibly removed	1,473
Persons absconding	660
Persons granted permits referred to municipalities	577
Persons granted permits arranging other accommodation	515
Average	621

Source: Migration Agency, *Monthly Statistical Report*, December 2025, Dnr: 1.1.1.2-2024-17693.

⁴⁰¹ Information provided for by the Swedish Migration Agency.

⁴⁰² Migration Agency, 'activities while you are waiting for a decision', available in Swedish [here](#).

C. Employment and education

1. Access to the labour market

Indicators: Access to the Labour Market

1. Does the law allow for access to the labour market for asylum seekers? Yes No
❖ If yes, when do asylum seekers have access the labour market? After the Swedish Migration Agency decides that the asylum seeker is exempted from having a work permit, they are allowed to work.
2. Does the law allow access to employment only following a labour market test? Yes No
3. Does the law only allow asylum seekers to work in specific sectors? Yes No
❖ If yes, specify which sectors:
4. Does the law limit asylum seekers' employment to a maximum working time? Yes No
❖ If yes, specify the number of days per year
5. Are there restrictions to accessing employment in practice? Yes No

Asylum seekers can be exempted from the requirement to have a work permit if they can provide identity documents or other means to establish their identity, establish that Sweden is responsible for their asylum application, and establish that there are solid reasons for their application in Sweden. An asylum seeker will not be able to work in Sweden if they have received a refusal of entry decision with immediate effect, including if they fall within a Dublin procedure or have a claim considered manifestly unfounded.

This right lasts until a final decision on their asylum application is taken, including during appeals procedures. The right ends when the applicant leaves Sweden if they cooperate in preparations to leave the country voluntarily. If the applicant refuses to cooperate and the case is handed over to the police for expulsion procedures, then the right to work is suspended.⁴⁰³

In the Government Bill "A New Reception Act", Prop. 2025/26:229, it is proposed that a waiting period of six months be introduced before an exemption from the requirement to hold a work permit can be granted. If adopted, this would mean that asylum seekers would not have access to the labour market unless the processing of their case took at least six months before a first-instance decision was issued. If the processing time were shorter, the applicant would not be granted an exemption from the work permit requirement and would therefore not be permitted to work. The bill is expected to be voted on in spring 2026, and the legislative amendments are proposed to enter into force on 1 October 2026.⁴⁰⁴

In 2023, 6,560 asylum-seekers were granted the right to work. The number decreased to 4,405 in 2024. In 2025, numbers fell to 3,043.⁴⁰⁵

According to Article 15 of the recast Reception Conditions Directive (2013/33) Member States can postpone the granting of access to the labour market to asylum seekers for nine months, as long as the delay cannot be attributed to the applicant. There's no such time-related restriction in Sweden. Changes regarding in that regard are, however, suggested in the public inquiry SOU 2024:68, *mottagandelagen*.⁴⁰⁶ The inquiry suggests that access to labour market should be granted only after six months, according to the minimum conditions prescribed in Article 17 of the newest recast Reception Conditions Directive

⁴⁰³ Swedish Migration Agency, *Handbok i Migrationsrätt*, section AT-UND, 5.

⁴⁰⁴ Mottagandelagen. En ny lag för ordnat asylmottagande och effektivt återvändande (SOU 2024:68), available in Swedish [here](#).

⁴⁰⁵ Information provided by the Swedish Migration Agency. The numbers regarding 2023 and 2024 differs from the numbers in the 2024 AIDA-report due to changes in how data is classified by the Swedish Migration Agency.

⁴⁰⁶ Mottagandelagen. En ny lag för ordnat asylmottagande och effektivt återvändande (SOU 2024:68), p. 411, available in Swedish [here](#).

(2024/1346). The inquiry on the implementation of the EU Pact, Ds 2025:30, suggested some minor changes compared to the ones of SOU 2024:68, which were related to the new three steps of the process of applying for international protection in Articles 26-28 of the Asylum Procedures Regulation (APR).⁴⁰⁷ It is suggested that the six-month period in Article 17 should count from the registration of the application (Article 27 APR) rather than from the “application”, which was suggested in SOU 2024:68.

In public inquiry SOU 2024:68 it is noted that the proposed changes will result in few applicants being granted access to the labour market, as decisions are often made before six months have passed.⁴⁰⁸

Asylum seekers can generally not work in areas that require certified skills such as the health care sector, in practice making their choice limited to the unskilled sector. Jobs are not easy to get because of language requirements and the general labour market situation with high youth unemployment and a general unemployment rate of 8.4% in 2024. In 2024 the general unemployment rate increased to 8,5%.⁴⁰⁹

Should an asylum seeker obtain a job or job offer at another place in Sweden, they can apply for accommodation compensation. This is meant for employment which is longer than a three-month period and when they have to move to a place where the Swedish Migration Agency does not have any residences to offer. The accommodation compensation is SEK 350 (€30.55) for a single person household and SEK 850 (€74.21) for a family. It is a monthly allowance that is provided for as long as the asylum seeker remains employed.⁴¹⁰

The possibility to, after rejection of the asylum application, switch from the asylum procedure to being a labour migrant, which was introduced in 2008, was abolished on 1 April 2025.⁴¹¹ It was done by adopting changes proposed by public inquiry SOU 2024:15.⁴¹² The change was adopted without any transitional provisions, so that, after 1 April 2025, no new permits were granted to asylum seekers according. This is reflected in the number of permits granted on this ground during 2025, which was 73.⁴¹³ By contrast, 309 asylum seekers were granted work permits according to the rule in 2024.⁴¹⁴ The change also affected persons who already were holding permits, as they were no longer able to extend them.⁴¹⁵ The media has reported on this effect, making many holders of work permits unable to extend them and often leaving them with no other option than to apply for work permit from abroad.⁴¹⁶

Even when allowed to work, asylum seekers might face difficulties in accessing employment. Factors like language barriers and discrimination limit this access. Difficulties to open a bank account have been another obstacle for a long time.

2. Access to education

Indicators: Access to Education

1. Does the law provide for access to education for asylum-seeking children? Yes No
2. Are children able to access education in practice? Yes No

Asylum-seeking children have full access to the Swedish preschool and school system, and they are largely integrated in regular schools. The municipality where the asylum seeker live is responsible for ensuring that asylum seeking children and young people get access to preschool and school under the

⁴⁰⁷ Migrations- och asylopakten, volym 2, Ds 2025:30, p. 880, available [here](#).

⁴⁰⁸ Mottagandelagen, p. 413, available in Swedish [here](#).

⁴⁰⁹ The Government Statistics Sweden, 'Unemployment in Sweden', available in Swedish [here](#).

⁴¹⁰ The Migration Agency, 'Financial support for asylum seekers', available in English [here](#).

⁴¹¹ Government, prop. 2024/25:92, Preskription av avlägsnandebeslut och vissa frågor om återreseförbud, available in Swedish [here](#).

⁴¹² SOU 2024:15, Nya regler för arbetskraftsinvandring m.m., available in Swedish [here](#).

⁴¹³ Information provided by the Migration Agency by email in January 2025.

⁴¹⁴ Information provided by the Migration Agency by email in January 2025.

⁴¹⁵ Migration Agency, news, The possibility of changing tracks ends on 1 April, available in English [here](#).

⁴¹⁶ Swedish radio, article, Slut för spårbytet: Tusentals riskerar utvisning, available in Swedish [here](#).

same conditions as other children living in the municipality. Asylum seeking children are not covered by the law obliging children between the ages of 6 and 16 to attend school but have the right to attend if they wish so. The right to go to school extends to children that absconded with their families and are present in Sweden with a removal order.⁴¹⁷ However, these children do not have the right to attend preschool.⁴¹⁸

Children between 16 and 18 often have to attend a preparatory course to improve their skills in Swedish and other core subjects before being able to access vocational education. Nevertheless, once they have gone through this preparatory phase, in theory, they are not prohibited from taking a vocational course. If a teenager begins a 3-year course at the age of 16 or 17 and is still in Sweden without a permit 2 years later, they will be allowed to continue their studies. Persons who are over 18 years old upon their arrival in Sweden, on the other hand, have no right to access upper secondary education but, municipalities are still allowed to offer upper secondary education if they have the possibility to enrol more students.⁴¹⁹

Children also have the right to lessons in their own mother tongue on a regular basis, if there are more than 5 pupils with the same language in the area. Itinerant mother tongue teachers are employed for that purpose.⁴²⁰

The possibility to get a residence permit for studies in upper secondary school, that originally was introduced in 2017, ended 20 January 2025.⁴²¹

The public inquiry on the implementation of the EU Pact, Ds 2025:30, suggested changes regarding children's right to study, making the responsible municipality obliged to offer schooling within two months instead of one (as was the case before).⁴²² The amendment, which is in line with the minimum requirements in Article 16.2 of the new recast Reception Condition Directive, is motivated by the view of the Swedish Migration Agency that such a timeframe would be more in line with the APR, according to which many applicants will be in special procedures like the asylum border procedure and, therefore, must be available during the process.⁴²³ However, the Government decided in its bill not go forward with the proposed change.⁴²⁴

D. Health care

Indicators: Health Care			
1.	Is access to emergency healthcare for asylum seekers guaranteed in national legislation?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2.	Do asylum seekers have adequate access to health care in practice?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Limited <input type="checkbox"/> No
3.	Is specialised treatment for victims of torture or traumatised asylum seekers available in practice?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Limited <input type="checkbox"/> No
4.	If material conditions are reduced or withdrawn, are asylum seekers still given access to health care?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Limited <input type="checkbox"/> No

During the asylum process and until the asylum seeker leaves Sweden or is granted a residence permit, they are entitled to a free medical examination, emergency health care and urgent medical or dental care that cannot be “postponed” (“vård som inte kan anstå”). They are also entitled to gynaecological and

⁴¹⁷ Swedish Parliament, *Betänkande 2012/13:UbU12 Utbildning för barn som vistas i landet utan tillstånd*, available in Swedish [here](#).

⁴¹⁸ Swedish Parliament, *Betänkande 2012/13:UbU12 Utbildning för barn som vistas i landet utan tillstånd*, available in Swedish [here](#).

⁴¹⁹ Skolverket, *Nyanländas rätt till utbildning*, available in Swedish [here](#).

⁴²⁰ The 2011 School Regulation (Skolförordningen 2011:185), Chapter 5, Paragraph 7.

⁴²¹ Migration Agency, 'permanent residence permit for holders of permits for studies at upper secondary level', available in Swedish [here](#). For more information on the now abolished law, see earlier AIDA-reports [here](#).

⁴²² Migrations- och asylopakten, volym 2, Ds 2025:30, p. 879, available [here](#).

⁴²³ Migrations- och asylopakten, volym 2, Ds 2025:30, p. 879, available [here](#).

⁴²⁴ Government, Utmönstring av permanent uppehållstillstånd och anpassning av svensk rätt till EU:s migrations- och asylopakt, lagrådsremiss, 6 April 2026, available [here](#).

prenatal care, including health care on the occasion of childbirth, as well as health care in accordance with the Swedish Communicable Diseases Act (smittskyddslagen).⁴²⁵

Children and teenage asylum seekers under the age of 18 are entitled to the same health care as all other children living in the county council area where they are seeking treatment.⁴²⁶

County councils are the authorities responsible for primary health care centres (*vårdcentralen*), hospitals and the National Dental Service (*Folktandvården*).

As far as possible the health care should be given in accordance with the wishes of the patient. However, in the end, it is the medical condition of the patient that determines which medical staff is best suited for the patient. The patient can wish for a certain doctor or a doctor of a certain gender, but there is no absolute right for such. The patient can always decline the offered health care and contact another health care centre.⁴²⁷

Should there be a need for health care beyond the free medical examination, mentioned above, patient fees (co-aids) may differ depending on the county council, region and type of care involved. But in general asylum seekers pay SEK 50 (€ 4.69) to see a doctor at the district health centre or to receive medical care after obtaining a referral. Other medical care, such as with a nurse or physical therapist, costs SEK 25 (€ 2.35) per visit. Medical transportation costs SEK 40 (€ 3.75). Gynaecological and prenatal care, including health care on the occasion of childbirth, as well as health care in accordance with the Swedish Communicable Diseases Act is free of charge. The fee for emergency care at a hospital varies from county to county. Asylum seekers pay no more than SEK 50 (€ 4.69) for prescription drugs. Children are in most cases entitled to healthcare free of charge until they turn 18 years old. Dental care is free of charge for children until they turn 23 years old. However, there may be a patient fee (co-aids) for emergency care for children in some of the regions.⁴²⁸

If an asylum seeker pays more than SEK 400 (€ 37.54) for visits to a doctor, medical transportation and prescription drugs within 6 months, they can apply for a special allowance. The Migration Agency can compensate for costs over SEK 400. The “400 SEK rule” applies individually for adults and common for siblings under 18. The cost of emergency medical or dental care is not covered.⁴²⁹

As mentioned above, the health care an asylum seeker is entitled to is limited to urgent medical or dental care that cannot be “postponed” (“vård som inte kan anstå”). It is the treating physician or dentist that makes the assessment if the person seeking health care is in need of health care that cannot be postponed. Critics highlight that the concept of “health care that cannot be postponed” is inexplicit and difficult to interpret for the health care staff.⁴³⁰ Transkulturellt Centrum (a part of the County Council of Stockholm, Region Stockholm) has expressed concern that persons seeking health care rarely get questions about torture and health care staff are seldomly educated in recognising, documenting and treating injuries of torture.⁴³¹ This means that the access to treatment for injuries of torture in practice is limited and depending on which physician or dentist that medically examines the asylum seeker.

⁴²⁵ Section 6 of Law (2008:344) on health care for asylum seekers etc. (lag (2008:344) om hälso- och sjukvård åt asylsökande m.fl.) section 7 of Law (2013: 407) on health care for certain foreigners staying in Sweden without the necessary permits (Lag (2013:407) om hälso- och sjukvård till vissa utlänningar som vistas i Sverige utan nödvändiga tillstånd), chapter 7, section 3 of The Communicable Diseases Act (2004:168) (Smittskyddslagen (2004:168)).

⁴²⁶ 1177 Vårdguiden, ‘Healthcare in Sweden for asylum-seekers, people with no papers and people in hiding’, available [here](#).

⁴²⁷ Västra Götalandsregionen, ‘Rättigheter i mötet med vården’, 21 August 2023, available in Swedish [here](#).

⁴²⁸ 1177 Vårdguiden, ‘Healthcare in Sweden for asylum-seekers, people with no papers and people in hiding’, available [here](#).

⁴²⁹ Migration Agency, ‘Fees for medical care’, available [here](#).

⁴³⁰ Läkare Utan Gränser, ‘Ge asylsökande och papperslösa vård på lika villkor’, 28 January 2018, available in Swedish [here](#).

⁴³¹ Transkulturellt Centrum, ‘Tortyrskadade patienter’, available in Swedish [here](#).

The new Swedish Government, following the general election in September 2022, has proposed that employees who come in contact with persons living in Sweden with an expulsion order should report these persons to the police or the Swedish Migration Agency. Critics point out that this is not in accordance with the health care ethics and could risk that persons in need of health care wait even longer before contacting a health care provider and could by then be even sicker when getting the medical examination.⁴³² The public inquiry that was analysing the question ended up suggesting that some government agencies should have to give information to the Police when having information about persons staying in Sweden without permit and not, as was foreseen, a general obligation to do so for all employees in public sector.⁴³³

E. Special reception needs of vulnerable groups

Indicators: Special Reception Needs

1. Is there an assessment of special reception needs of vulnerable persons in practice?
 Yes No

The Swedish Government saw no need to make legislative changes in order to implement the recast Reception Conditions Directive, where special consideration is given to persons with special reception needs, *inter alia* in Article 22. The needs of vulnerable asylum seekers are considered when designating suitable accommodation and where needed they are placed in the vicinity of institutions that can provide expert care.⁴³⁴

The Swedish Migration Agency has established guidelines and procedures for the reception of vulnerable asylum seekers. Examples of groups of asylum seekers who might be in need of special measures mentioned are, with reference to Article 21 of the recast Reception Conditions Directive: minors, unaccompanied minors, people with disabilities, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.⁴³⁵

The procedure for measures for asylum seekers with special needs sets out that accommodation shall be adapted to the individual needs of the asylum seeker. If the asylum seeker has special needs, the accommodation shall be adapted accordingly. There might be a need to provide accommodation outside of the Swedish Migration Agency's usual accommodation. A first screening shall be made at the time of application, but since the conditions might change over time, the identification and facilitation of special needs shall be made throughout the asylum procedure. The identification is based on what applicants respond to question whether they have specific needs, and what the case officer can notice regarding specific needs, such as physical impairments.⁴³⁶ Examples of special accommodation include ground-level apartments without thresholds, accommodation in the proximity of necessary specialised care, treatments or services (e.g., sign language interpreters and special schools), or a separate room or apartment due to mental disorders.⁴³⁷ In the case of an asylum seeker who has been subjected to or is

⁴³² AftonBladet, 'Vi kommer att vägra ange våra patienter', 21 December 2022, available in Swedish [here](#).

⁴³³ SOU 2024:80, Vissa åtgärder för stärkt återvändandeverksamhet och utlänningskontroll, 26 November 2024, available in Swedish [here](#).

⁴³⁴ Migration Agency, *Redovisning av uppdrag att inrätta återvändandecenter (Ju2023/01593)*, 1 December 2023, is available in Swedish [here](#), and Migration Agency, *Rutin: Ta ställning till särskilda behov, initialt*, 23 January 2023, provided via email by the Swedish Migration Agency.

⁴³⁵ Migration Agency, *Rutin: Ta ställning till särskilda behov, initialt*, provided via email by the Migration Agency on 26 April 2024.

⁴³⁶ It is also possible to submit a medical certificate to demonstrate that a person has special needs. A medical examination is offered to all asylum seekers when they apply for asylum, during which a doctor can issue a medical certificate if necessary. It is also possible to submit additional medical certificates from examinations arranged independently.

⁴³⁷ Migration Agency, *Rutin: Insatser för asylsökande med särskilda behov*, provided via email by the Migration Agency on 11 April 2024.

at risk of being subjected to violence, placement in secure housing should be considered (which is also observed in practice).⁴³⁸

The Swedish Migration Agency had previously special accommodation for especially vulnerable people in the three major cities: Stockholm, Gothenburg and Malmö. However, they are all closed today, and the Swedish Migration Agency has not acquired any new centres. The current solutions are a combination of both adapting the living arrangements in already existing centres and, in some cases, providing private apartments. Which solution is preferred varies depending on the need of the vulnerable person and interim solutions will sometimes have to be found since the adaptation of the existing accommodations might take time. The Swedish Migration Agency makes an individual assessment in each case where they should consider the need of special competences, medical care and private accommodation. For people that have previously been subject to discrimination, they should also take into account the safety of the person and if a special safe accommodation is preferred.

After March 2025, accommodation in reception centres is the general rule. Persons classified as vulnerable or exposed, for example LGBTQI+ persons, may instead be accommodated in apartments. The individual's needs are to be the determining factor in deciding the type of accommodation provided.⁴³⁹

As already mentioned above, the Swedish Migration Agency does not collect statistics on the different vulnerable groups such as ethnic minorities, victims of torture, other vulnerable persons or LGBTQI+ persons with individual needs of extra security in housing, although vulnerability is not necessarily associated with group membership.

The reception system is currently under reform, and the most important change is the shift from private apartments to accommodation in reception/return centres. The Swedish Migration Agency is preparing for coming changes and has outlined its plan in a report published 31 January 2025.⁴⁴⁰ According to the plan, the centres will be divided into sections, a section may be reserved for certain groups of applicants such as single women, or be adjusted to children's need for places to play.

1. Reception of families with children and unaccompanied children

After placement in temporary accommodation, the Swedish Migration Agency assigns a municipality that will take care of the unaccompanied child. The municipality is responsible for appointing a guardian and for investigating the child's needs and for taking a decision *inter alia* on placement in suitable accommodation. That can be in a foster home, as well as a home of relatives of the child (if deemed suitable accommodation after investigation). It can also be special accommodation for unaccompanied children. Unaccompanied children are never accommodated with adults.

During a process of age assessment, the person will still be considered a child until a decision has been made that says differently. A person who claims to be an unaccompanied child will not be placed with adults until an assessment is made that concludes that the person is not a child. If a person claims to be a child but the Swedish Migration Agency assesses that it is obvious that the person is an adult, the Swedish Migration Agency can decide to change the person's age directly when the person applies. The person will then be placed with adults. A high level of proof is needed to determine that the person is an adult. In its legal guidelines,⁴⁴¹ the Swedish Migration Agency gives as examples that a passport or information from the EU Visa Information System could make it obvious the person is an adult.

Municipalities are also responsible for meeting the welfare needs of all children and can arrange for them to be sent either alone or with their family to a suitable residence where they can obtain expert help in

⁴³⁸ Migration Agency, *Rutin: Insatser för asylsökande med särskilda behov*, provided via email by the Migration Agency on 11 April 2024.

⁴³⁹ Information provided by the Swedish Migration Agency via email in February 2026.

⁴⁴⁰ Swedish Migration Agency, *Redovisning av uppdraget att förbereda för ett reformerat mottagningssystem*.

⁴⁴¹ Swedish Migration Agency, Legal Guidance. Age Assessment, *RS/040/2021*.

relation to their problems. Unaccompanied children aged 16 and over are given a daily allowance of personal needs such as clothes, medicine and leisure activities.

Single women are housed together with other single women or single mothers taking into account language and which part of the world they come from. Families are kept together.

2. Reception of LGBTQI+ persons

Accommodation facilities can be problematic for LGBTQI+ asylum seekers as they can end up experiencing harassment. However, they can always request a transfer or address their complaint to the Discrimination Ombudsman (DO).

The special needs of LGBTQI+ persons are currently being addressed more seriously in the context of housing. The Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex rights (RFSL) successfully lobbied for LGBTQI+ persons' interests, and more effort is being made to find suitable solutions, which sometimes can consist in living in student-like corridor facilities. LGBTQI+ persons can be accommodated in specific centres on an individual basis or together with other vulnerable groups in the special centres established by the Swedish Migration Agency. In 2023, at least one centre in Västerås has special apartments for LGBTQI+ persons and activities arranged with specialised organisations.⁴⁴²

Asylum seekers who declare their LGBTQI+ identity as a reason for asylum are offered a place in the Swedish Migration Agency's temporary housing. An individual needs assessment is carried out, for example whether they require their own apartment, access to networks and medical care. An LGBTQI+ perspective is integrated into the social information that asylum seekers are provided with in the asylum process.⁴⁴³

3. Reception of persons with physical disabilities

The Swedish Migration Agency has special flats available to accommodate the needs of persons who are in wheelchairs. Persons with various forms of physical handicaps can have their needs assessed by the staff of the local municipality, who base their assessments on the general rules for the population at large. The municipality makes recommendations regarding an individual's need for special care and the agreed costs are paid by the Swedish Migration Agency. There is a cooperation between the Swedish Migration Agency with Västerviks folkhögskola, a Folk High School in **Leksand** to accommodate deaf asylum seekers.⁴⁴⁴

4. Reception of traumatised persons

There is no separate accommodation provided for traumatised persons. There are specific homes for unaccompanied children where the municipality has the overall responsibility for the welfare of the children. Their needs are dealt with in accordance with the general legislation in this field.

5. Reception of women

In 2025, a total of 2,773 women applied for asylum, which is less than the 3,759 women who applied in 2024.⁴⁴⁵ 4,762 women applied for protection under the Temporary Protection Directive in 2025. In comparison, 5,535 women applied in 2024.⁴⁴⁶

⁴⁴² Information provided by the Swedish Migration Agency.

⁴⁴³ Migration Agency, Annual Report 2021, available in Swedish [here](#), 106.

⁴⁴⁴ Västerviks folkhögskola, *Mottagande av asylsökande*, available in Swedish [here](#).

⁴⁴⁵ Swedish Migration Agency, information provided by e-mail in January 2026.

⁴⁴⁶ Swedish Migration Agency, 'Asylum', available [here](#).

Throughout the year, a total of 8,373 women were registered in the reception system. In comparison, a total of 22,678 women were registered in the system in 2024.⁴⁴⁷ The sharp decrease is due to the reform of the reception system and the possibility for persons holding residence permits under the Temporary Protection Directive to register in the population register, as discussed above.

Out of the women registered in the reception system:

- ❖ 15% are listed as housed under the Swedish migration Agency and are asylum seekers,
- ❖ 26% are in private housing and registered as seeking asylum,
- ❖ 41% are in private housing and have applied for protection under TPD,
- ❖ 15% are listed in housing under the municipalities and applied for protection under TPD,
- ❖ 2% in other housing.⁴⁴⁸

In 2019, GREVIO published its report on Sweden's implementation of the Istanbul Convention.⁴⁴⁹ GREVIO highlighted shortcomings in the reception system. Despite the requirement in the Istanbul Convention to provide specialised centres for women, this has not been sufficiently implemented in practice. There have been reports of young migrant women being placed in accommodation with older men and sharing bathroom facilities. As a result, incidents of sexual harassment of women and girls and indications of gender-based violence at reception accommodation centres have been reported, and three women have been killed since 2015.⁴⁵⁰ The Swedish Migration Agency have since updated their internal guidelines. In 2023, their policy was to not place men and women in accommodations together if they were not in the same families. However, men and women can share bathroom facilities. They are generally well lit, but accommodations vary in standard.⁴⁵¹

The Swedish Migration Agency is supposed to ensure a safe environment in all their accommodations but according to the reports received, this is not how all accommodations are perceived.⁴⁵²

The accommodations provided by the Swedish Migration Agency are very different and some are not well suited to prevent gender-based violence. There are generally no social workers or police officers on site, but they have security measures of different standards. Some are based far away from cities which leave women in remote places and far from all services. Accommodations are usually well lit indoors. The guards that are employed by the security companies can be both female and male.

A Government inquiry from 2017 highlighted that there are ambiguities regarding which governmental agency is responsible for ensuring that asylum seekers have access to sheltered housing, the Migration Agency or the Social services. The Istanbul Convention states that the provisions of the Convention (e.g., access to sheltered accommodation) apply regardless of the victim's status as a migrant, refugee or other status. In light of the above, the inquiry suggested that the Social Welfare Board's responsibility for protected housing for asylum seekers and others needs to be clarified through legislative changes. On 1 April 2024, a new amendment of the Social Service Act (2001:453) came into force, establishing sheltered housing as a specific support measure that the Social Services can decide to grant. The Social Services must also make a separate assessment for a child who accompanies a parent/legal guardian to a sheltered house. However, this new legal provision does not clarify which governmental agency is responsible for providing sheltered housing to asylum seekers.⁴⁵³

⁴⁴⁷ Swedish Migration Agency, information provided by e-mail, April 2026.

⁴⁴⁸ Swedish Migration Agency, information provided by e-mail, April 2026.

⁴⁴⁹ GREVIO, *Baseline Evaluation Report: Sweden*, 21 January 2019, available [here](#).

⁴⁵⁰ The GREVIO report published on 28 November 2024, First thematic evaluation report, does not include information on the situation for women in the reception system.

⁴⁵¹ Information provided by the Swedish Migration Agency in March 2023.

⁴⁵² Information provided by the Swedish Refugee Law Center.

⁴⁵³ Comment by Swedish Association of Local Authorities and Regions, [Skyddat boende | SKR](#).

The Swedish Migration Agency has developed a routine which provides guidelines for protected housing for those asylum seekers who have been subjected to, or threatened with, violence.⁴⁵⁴ The guidelines describe that if the asylum seeker, following an investigation, needs help to increase security in their accommodation, measures shall be taken in the following order (the measures can also be combined, and an individual assessment must always be made):

- ❖ Move to construction housing if the alien lives in his/her own housing.
- ❖ New accommodation within the same unit, but not together with the perpetrator (if this is, for example, spouse / partner / family / relatives).
- ❖ New accommodation in another location.
- ❖ New accommodation at another reception unit.
- ❖ Privately marked address.
- ❖ Sheltered housing provided by local municipalities.

The Migration Agency can also, in cooperation with the police, arrange safe houses for threatened individuals. In these situations, even the municipal social welfare authority can be involved.

F. Information for asylum seekers and access to reception centres

1. Provision of information on reception

Asylum seekers are provided with an arrival folder at the initial interview at the Swedish Migration Agency when they lodge their asylum application. This folder contains essential information about Sweden's asylum reception system, including details about their rights and responsibilities regarding work, education, housing, healthcare, and financial assistance. The information is regularly updated, and the latest version can be accessed on the Migration Agency's website.⁴⁵⁵

The Swedish Migration Agency has a responsibility to arrange suitable activities for applicants during the examination of their asylum claim.⁴⁵⁶ What was previously stipulated in the Government's appropriation directions ("regleringsbrev") to the Swedish Migration Agency is now, as a result of legislative amendments, codified in law: the Agency is required to organise mandatory social orientation classes.⁴⁵⁷ Starting from 1 March 2025, it is mandatory by law to participate in such classes. However, no sanctions are yet being imposed on those who do not participate.⁴⁵⁸ A provision making it possible to decide on sanction in this situation was proposed in a report published in November 2025, on the implementation of the EU Pact on Migration and Asylum.⁴⁵⁹ The induction is now more comprehensive and delivered to all applicants over the age of 15 through two half-day sessions, while the material is adapted and in written format for accompanied children and studied with the case officer for unaccompanied children. The sessions are organised in different languages in first reception centres or through videoconference for persons who have their own accommodation. The Swedish Migration Agency offers childcare while parents follow the course.⁴⁶⁰

⁴⁵⁴ Migration Agency, *Rutin: Skyddat boende/skyddad adress/sekretessmarkering för asylsökande utsatta för våld eller hot om våld*. Information provided upon request in January 2023.

⁴⁵⁵ Migration Agency, *While you are waiting for a decision, information for asylum seekers in Sweden*, available in English [here](#).

⁴⁵⁶ Lagen (1994:137) om mottagande av asylsökande m.fl. section 4, available in Swedish [here](#).

⁴⁵⁷ Government, proposition 2024/25:49 En ny ordning för asylsökandes boende, 7 november 2024, available in Swedish [here](#).

⁴⁵⁸ Government, proposition 2024/25:49 En ny ordning för asylsökandes boende, 7 november 2024, available in Swedish [here](#).

⁴⁵⁹ Migrations- och asylpakten, DS 2025:30, vol 2, p. 924, available in Swedish [here](#).

⁴⁶⁰ EUAA, 'Asylum Report 2022: Annual Report on the Situation of Asylum in the European Union', June 2022, available [here](#), 171-172.

2. Access to reception centres by third parties

Indicators: Access to Reception Centres

1. Do family members, legal advisers, UNHCR and/or NGOs have access to reception centres?
 Yes With limitations No

During the spring and summer of 2025, all asylum seekers who lived in accommodation they had arranged themselves (so-called own accommodation (EBO)), were allocated a place at one of the Swedish Migration Agency's reception and return centers. From 1 September 2025, the main rule is that asylum seekers must live in the accommodation allocated by the Swedish Migration Agency in order to be entitled to daily allowance and special grant. Asylum seekers who chose to stay in an accommodation they have arranged themselves may later be granted a place at the centers if they are found to be in need of accommodation.⁴⁶¹ The reception centres are not locked facilities, and organizations or individuals may visit them. Civil society organizations currently organize activities at the reception centres. Examples include physical activities, homework support, activities for children, and language cafés.⁴⁶²

The Swedish Migration Agency lists contact information for organizations that assist asylum seekers on its website.⁴⁶³

G. Differential treatment of specific nationalities in reception

There is no institutionalised difference in treatment with respect to nationality. However, if a person belongs to a vulnerable group, solutions are sought based on the individual's needs (see [Special Reception Needs](#)).

⁴⁶¹ Migration Agency, *Changed rules on asylum seekers' accommodation*, available in English [here](#).

⁴⁶² For information about current activities by Civil Society see the report *Redovisning av uppdraget att förbereda för ett reformerat mottagningsystem* (Ju2024/00608), Dnr: 1.1.2-2025-513, available in Swedish [here](#).

⁴⁶³ Migration Agency, *You are waiting for a decision – Organisations that can support asylum seekers*, available in English [here](#).

Detention of Asylum Seekers

A. General

Indicators: General Information on Detention

1. Total number of third country nationals detained in 2025:	3,695
2. Number of third country nationals in detention at the end of 2025:	579
3. Number of detention centres:	6
4. Total capacity of detention centres:	691

The majority of detention decisions are taken by the Swedish Migration Agency, the Migration Courts or the Police. In some cases, the Swedish Security Service has authority to decide on detention.⁴⁶⁴

The Police authority can issue a detention decision before asylum seekers have their asylum case registered at the Swedish Migration Agency as well as where third country nationals are present illegally in the country or have been expelled on grounds of criminality and served their sentence but are still in the country.⁴⁶⁵ The Police is also responsible for taking decisions on detention when the Swedish Migration Agency has handed over responsibility for a person's case to them. This happens when the Swedish Migration Agency no longer considers that the persons will leave the country on a voluntary basis even though their appeal has been rejected. Normally a rejected asylum seeker has 4 weeks to leave the country voluntarily, although this may in practice be extended if the circumstances warrant it.

The Swedish Migration Agency can take decisions on detention as long as they are handling the asylum case or an application for a residence permit.⁴⁶⁶ The Migration Courts can issue decisions on detention while dealing with an appeal. If a decision on detention is taken first at the Migration Court, the decision can be appealed to the Migration Court of Appeal without being subject to leave to appeal.⁴⁶⁷

If a case is being dealt with by the Government, e.g. in cases regarding expulsion due to a security threat, it is the responsible Secretary of State who can take decisions on whether a third country national should be detained or not.⁴⁶⁸ The police is also allowed to place a third country national in detention, even if this is not their formal responsibility, when circumstances so require e.g. if there is a clear risk of a third country national disappearing once apprehended. Even the coastguards and customs officers can detain a third country national if there is a danger that they will go into hiding. However, the detention must be reported immediately to the police, who then takes over responsibility.⁴⁶⁹

In the current system, the officers of the Swedish Migration Agency are not allowed to use coercive force to implement a decision. They must therefore call on the Police for assistance to, for example, escort a third country national to or from the detention centre or to enforce and expulsion order when a detainee refuses to comply.⁴⁷⁰

The number of detainees based on the Aliens Act increased slightly from 3,695 in 2024 to 4,017 in 2025. This includes 3 children and 4,014 adults, out of which 480 were women and 3,534 men (compared to 6 children and 3,689 adults - 407 women and 3,282 men – in 2024).⁴⁷¹

⁴⁶⁴ Chapter 10, Section 13(3) Aliens Act.

⁴⁶⁵ Chapter 10, Sections 13 and 17 Aliens Act.

⁴⁶⁶ Chapter 10, Section 14 Aliens Act.

⁴⁶⁷ Chapter 16, Section 11 Aliens Act.

⁴⁶⁸ Lag (1991:572) om särskild utlänningskontroll.

⁴⁶⁹ Chapter 10, Section 17 Aliens Act; Lag (1991:572) om särskild utlänningskontroll.

⁴⁷⁰ Chapter 12, Section 14 Aliens Act.

⁴⁷¹ The Swedish Migration Agency, information received via email in April 2026.

Detention orders in Sweden: 2020-2025						
Year	2020	2021	2022	2023	2024	2025
Number	2,528	2,210	3,027	3,184	3,695	4,017

Source: Swedish Migration Agency.⁴⁷²

The number of persons detained because of inability to identify themselves is minimal, whereas the number of Dublin detainees who may still have an appeal pending is a little higher. In practice, applicants in Dublin procedures may abscond before an attempt to remove takes place. During 2017 the rules were changed regarding which authority is responsible for Dublin returnees with a legally enforceable removal order so that these now are the responsibility of the police not the Swedish Migration Agency.⁴⁷³

B. Legal framework of detention

1. Grounds for detention

Indicators: Grounds for Detention

1. In practice, are most asylum seekers detained

❖ on the territory:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
❖ at the border:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

2. Are asylum seekers detained during a regular procedure in practice?

<input type="checkbox"/> Frequently	<input checked="" type="checkbox"/> Rarely	<input type="checkbox"/> Never
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3. Are asylum seekers detained during a Dublin procedure in practice?

<input type="checkbox"/> Frequently	<input checked="" type="checkbox"/> Rarely	<input type="checkbox"/> Never
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The detention of a third country national who is seeking asylum can take place at any time during the asylum procedure and after the claim has been rejected at the final instance. A person can only be deprived of their liberty for a reason set out in law.

Under Ch. 10, Section 1(1) of the Aliens Act, a third country national, whether an asylum seeker or irregular migrant, over the age of 18, may be detained where:

- (1) Their identity is unclear upon entry; *and*
- (2) They cannot make probable that the identity given to the authorities is correct.

Moreover, a third country national may be detained:⁴⁷⁴

- (1) Where it is necessary for the carrying out of an investigation of their right to remain in Sweden;
- (2) Where it is probable that they will be refused entry or will be expelled; or
- (3) For the purpose of preparing or carrying out deportation.

Detention under points (2) and (3) of para 2 can only be ordered if there are some reasons to presume that the third country national will abscond or will engage in criminal activities in Sweden or in any other way attempt to prevent deportation.⁴⁷⁵

⁴⁷² The Swedish Migration Agency, information received via email in April 2026. In the latest statistics from the Swedish Migration Agency, the figures for 2022 and 2023 have also been revised. Therefore, they are revised here as well, comparing to the previous AIDA reports.

⁴⁷³ Chapter 12, Section 14 Aliens Act.

⁴⁷⁴ Chapter 10, Section 1(2) Aliens Act.

⁴⁷⁵ Chapter 10, Section 1(3) Aliens Act.

Detention can also be applicable in so called Dublin cases, pursuant to Article 28 of the Dublin III Regulation. In Dublin cases, the Aliens Act provisions regarding detention are not applicable. The threshold for when detention can be used according to the Dublin Regulation must be met.⁴⁷⁶

To determine if a person is at considerable risk of absconding from a Dublin procedure, there has to be an individual assessment of all circumstances from case to case. When doing such an assessment the circumstances have to be concrete and implicate a considerable risk of absconding. Examples of such concrete circumstances include if the person has used different aliases, if the person has been expressing strongly negative feelings regarding the decision on transfer according to the Dublin Regulation, if the person has stated incorrect information or if the person has withheld essential information.⁴⁷⁷

The courts also regularly rule on questions of detention.

During 2023, there were five precedent rulings made by the Migration Court of Appeal regarding the national rules on detention. They concerned the allowed duration of detention, the grounds for detention, the grounds for denying visitors and on which grounds a public counsel is granted funds.⁴⁷⁸

In 2024, the Migration Court of Appeal found that the appointment as a public counsel for a detained person not only includes the question of detention but also the action of appealing a decision regarding a body search.⁴⁷⁹

In 2025, there were two precedent rulings on detention. The first concerned whether the recast Reception Conditions Directive is applicable when a person made a subsequent application that was rejected.⁴⁸⁰ The second concerned whether the fact that a person had been detained according to the Dublin regulation had bearing on the applicability of Article 8.3 of the recast Reception Conditions Directive (i.e., grounds for detention of asylum seekers).⁴⁸¹

In January 2024, a Commission of Inquiry presented a report with proposals aimed at strengthening the safety and security in the detention facilities run by the Swedish Migration Agency. The Commission was appointed as the Government saw a need to further align the rules regarding detention with the EU *acquis*, a review necessary also following critique from the Parliamentary Ombudsman (JO).⁴⁸² According to its instruction, the Commission should propose changes that would allow the time during which a person can be detained to be as long as is allowed according to the EU *acquis*. It also argued that it should also propose more alternatives to detention and changes that could improve the safety in detention facilities.

The Commission's first report had proposals on, for example, the introduction of mandatory security screenings, room searches and supervising visits through the introduction of glass partitions in the visiting rooms. The Commission of Inquiry proposed that legislative changes enter into force on 1 July 2025.⁴⁸³ The Government proposed a bill, based on the inquiry's report.⁴⁸⁴ The changes were proposed to enter

⁴⁷⁶ Migration Court of Appeal, MIG 2015:5, 3 June 2015, available [here](#).

⁴⁷⁷ The Swedish Migration Agency, Legal Position, 'Förvar i ärenden där Dublinförordningen ska tillämpas', Lifos no 45250, available in Swedish [here](#).

⁴⁷⁸ Migration Court of Appeal, MIG 2023:6, 17 May 2023, available in Swedish [here](#).
Migration Court of Appeal, MIG 2023:9, 21 June 2023, available in Swedish [here](#).
Migration Court of Appeal, MIG 2023:11, 25 August 2023, available in Swedish [here](#).
Migration Court of Appeal, MIG 2023:13, 19 October 2023, available in Swedish [here](#); Migration Court of Appeal, MIG 2023:15, 15 November 2023, available in Swedish [here](#).

⁴⁷⁹ Migration Court of Appeal, MIG 2014:15, 17 December 2024, available in Swedish [here](#).

⁴⁸⁰ Migration court of appeal, MIG 2025:2, 21 February 2025, available in Swedish [here](#).

⁴⁸¹ Migration court of appeal, MIG 2025: 15, 15 December 2025, available in Swedish [here](#).

⁴⁸² The Swedish Government, *Moderna och ändamålsenliga regler för förvar*, Dir. 2023:119, 10 August 2023, available in Swedish [here](#).

⁴⁸³ The Swedish Government, 'Förbättrad ordning och säkerhet vid förvar', SOU 2024:5, 10 January 2024, available in Swedish [here](#).

⁴⁸⁴ The Swedish Government, Prop. 2024/25:161, Förbättrad ordning och säkerhet vid förvar, available in Swedish [here](#)

into force on 1 August 2025, and did so as the bill was accepted by the parliament on 17 July 2025 and is now in force.⁴⁸⁵

On 17 February 2025, the Commission of Inquiry presented its second and final report.⁴⁸⁶ The report includes a wide range of proposals. New provisions are proposed in the chapter on detention in the Aliens Act. They make a distinction between detention of asylum seekers and others, a change that aims to a greater extent align the legislation on detention with the EU directives. Longer periods during which persons can be held in detention and alternatives to detention, as order of supervision in combination with electronical surveillance, are also proposed. The responsibilities of the Swedish Migration Agency and the border police should also be clearer due to the proposed changes. Most of the proposed changes will enter into force the 21 July 2026, according to the draft bill presented by the Government.⁴⁸⁷

2. Alternatives to detention

Indicators: Alternatives to Detention

1. Which alternatives to detention have been laid down in the law? Reporting duties
 Surrendering documents
 Financial guarantee
 Residence restrictions
 Other
2. Are alternatives to detention used in practice? Yes No

Supervision is an alternative measure that may be used instead of detention.⁴⁸⁸ Authorities are obliged to consider supervision before deciding on detention. Supervision entails regular reporting to the police or to the Swedish Migration Agency, depending on which authority is responsible for the decision. It may also entail surrendering passports or other identity documents.⁴⁸⁹

Similarly to detention, supervision in the asylum context is rarely used during ongoing asylum procedures and when it is used it is mainly applied in relation to applicants in Dublin procedures or applicants who are undergoing a new procedure following a subsequent application. In 2024, a total of 217 supervision decisions were taken by the Migration Agency, an increase from 155 decisions in 2023.⁴⁹⁰ Even though this should always be done by the decision body, there have been concerns raised as to the lack of extensive and qualitative argumentation as to why, inter alia, supervision is not used instead of detention.⁴⁹¹ Concerns have been raised by several actors in 2020, including by the Parliamentary Ombudsman (JO), including inter alia on insufficient use of supervision as an alternative to detention, placement of detainees in prison or police facilities and a lack of sufficient proportionality assessments.⁴⁹²

The Commission of Inquiry that reviewed the legislation on detention was instructed to propose changes making supervision a more adequate alternatives to detention.⁴⁹³ In the final report of the Inquiry, two new forms of supervision are proposed: an obligation to stay in a certain location and an obligation not to leave a certain geographical area. It's also proposed that supervision should be able to be combined with electronical surveillance.

⁴⁸⁵ The Swedish Parliament, Betänkande 2024/25:SfU22, Förbättrad ordning och säkerhet vid förvar, available in Swedish [here](#).

⁴⁸⁶ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, available in Swedish [here](#).

⁴⁸⁷ The Swedish Government, Lagrådsremiss Skärpta regler om uppsikt och förvar, available in Swedish [here](#).

⁴⁸⁸ Chapter 10, Section 6 Aliens Act.

⁴⁸⁹ Chapter 10, Section 8 Aliens Act.

⁴⁹⁰ Information provided by the Migration Agency's statistics unit in January 2025.

⁴⁹¹ Swedish Red Cross, 'Förvar under lupp', June 2019, available in Swedish [here](#). See also comparative study on use of alternatives to detention, where Sweden was one of the studied countries: Odysseus Network, 'Alternatives to immigration and asylum detention in the EU. Time for implementation', 2015, available [here](#).

⁴⁹² Swedish Refugee Law Center, 'Hur ser regelverket ut när det gäller förvar i Sverige och finns det problem med hur det tillämpas?', Rapport om Förvar av juriststudenterna Cecilia Alpin och Arvid Skagerlind vid Uppsala Universitet inom ramen för en människorättsklinik', 22 April 2020.

⁴⁹³ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, available in Swedish [here](#).

3. Detention of vulnerable applicants

Indicators: Detention of Vulnerable Applicants

1. Are unaccompanied asylum-seeking children detained in practice?
 Frequently Rarely Never
- ❖ If frequently or rarely, are they only detained in border/transit zones? Yes No
2. Are asylum seeking children in families detained in practice?
 Frequently Rarely Never

According to Ch. 10, Section 2 of the Aliens Act, a child may be detained in the following circumstances:

- (1) "It is probable that the Police will be the authority enforcing the expulsion order or the child will be refused entry with immediate enforcement" *and* "there is an obvious risk that the child will otherwise [abscond] and thereby jeopardise an enforcement that should not be delayed",⁴⁹⁴ *or*
- (2) For the purpose of enforcing or preparing the enforcement of a refusal of entry or an expulsion order.⁴⁹⁵

In both cases, there is an express condition that alternatives to detention ("supervision") are not deemed sufficient to meet the purpose pursued.⁴⁹⁶ Children may not be detained for over 72 hours or, in exceptional circumstances, another 72 hours, hence in total maximum 6 days.⁴⁹⁷ A child cannot be separated from their guardians through the detention of either the guardian or the child.⁴⁹⁸ Where the child has no guardian in Sweden, detention may only be applied in exceptional circumstances.⁴⁹⁹

A review of research on children's health in connection with detention shows that there is strong evidence that it has a profound and negative impact on children's health and development – also when it comes to short periods or with their families. Figures by the Swedish Migration Agency for 2025 show that 3 children were detained (all boys). The average time of stay for the children was 4 days.⁵⁰⁰ In 2024, 5 children were detained, 1 girl and 5 boys.⁵⁰¹

Women are placed in the same detention centres as men, although there are certain parts of the detention centres where men are not allowed to go.⁵⁰²

In May 2020, RFSL Ungdom (RFSL Youth) published a report regarding young LGBTQI+ persons in detention.⁵⁰³ The three detained persons interviewed in the report expressed *inter alia* stress and fear regarding who would find out about their sexual orientation and how they would be treated because of it. Recommendations to the Migration Agency in the report include training of staff at the detention centres

⁴⁹⁴ Chapter 10, Section 2(1) Aliens Act.

⁴⁹⁵ Chapter 10, Section 2(2) Aliens Act.

⁴⁹⁶ Chapter 10, Section 2(1)(3) and 2(2) Aliens Act.

⁴⁹⁷ Chapter 10, Section 5 Aliens Act.

⁴⁹⁸ Chapter 10, Section 3 Aliens Act.

⁴⁹⁹ Chapter 10, Section 3 Aliens Act.

⁵⁰⁰ Children can only be detained for a maximum of 6 days. The high average time reported for boys in 2023, 47 days, was due to the fact that the Swedish Migration Agency considered three of them to be adults during the time that they were detained. Out of the four boys detained, one was detained for one day and considered a minor during the whole time, the other three were detained for 9 days, 38 days and 139 days, one of them had a younger age registered in another EU-country but Sweden considered him an adult. The last two were considered adults at the time they were detained. After investigation, their age was changed so they were considered to be younger than eighteen and they were released immediately. This information was provided by the Swedish Migration Agency via email in March 2023. The Swedish Migration Agency conveyed that the boys who later were considered to be children would not have been detained for so long if they had not considered them adults during the time they were detained.

⁵⁰¹ Swedish Migration Agency, 'Annual Report 2023', Dnr: 1.3.2-2024-2238, 22 February 2024, available in Swedish [here](#), page 78.

⁵⁰² Migration Agency website, 'Uppsikt och förvar', available in Swedish [here](#).

⁵⁰³ RFSL Ungdom, 'Attention Detention – Situationen för HBTQ-ungdomar i Migrationsverkets förvar', 2020.

in LGBTQI+ matters and the establishment of safe sections where LGBTQI+ persons can be placed if they want or need.

4. Duration of detention

Indicators: Duration of Detention

What is the maximum detention period set in the law (incl. extensions):	12 months
In practice, how long in average are asylum seekers detained?	49 days

The duration of detention of adults is governed by Chapter 10, Section 4 of the Aliens Act. Generally, detention may not exceed 2 weeks, unless there are exceptional grounds for longer detention.⁵⁰⁴ Persons who are issued with an expulsion or refusal of entry order may be detained for up to 2 months, with a possibility of extension if there are exceptional grounds.⁵⁰⁵ Even if there are such exceptional circumstances, they cannot be detained longer than 3 months or, if it is likely that the execution will take longer because of the lack of cooperation by the third country national or because it takes time to acquire the necessary documents, more than 12 months. The time limits of 3 and 12 months do not apply if the third country national is expelled by ordinary courts because of crimes.

In October 2019, the Migration Court of Appeal clarified that the 12-month time limit is the maximum time limit a third country national may be held in detention for the purpose of enforcement of a removal order. This applies also to the case where the removal failed, and the person is brought back to Sweden and subsequently detained. This cannot be considered as a new detention order, and it must thus not exceed 12 months in total.⁵⁰⁶

The 2-month time limit therefore does not apply to asylum seekers throughout the examination of their claim, unless a deportation order has already been issued against them. Asylum seekers are in principle detained for up to 2 weeks. Moreover, detention for the purposes of investigating the alien's right to remain in Sweden under Ch. 10, Section 1(2)(1) cannot exceed 48 hours.⁵⁰⁷

The average period of detention was 49 days in 2025, the same as in 2024, and decreasing from 52 days in 2022. This refers to an average 51 days for men and 38 days for women in 2025 (compared to 50 and 40 days respectively in 2024).⁵⁰⁸

In their concluding observations on the eighth periodic report of Sweden the Committee against Torture (CAT) emphasised that detention of asylum seekers should only be used as a last resort and, where necessary, for as short a period as possible.⁵⁰⁹

The Commission of Inquiry reviewing the legislation on detention was instructed to propose changes making it possible to detain persons for longer periods of time. It suggests, *inter alia*, that persons with a removal order issued based on the Return Directive (2008/115) should be able to be detained for 18 months. Most of the changes proposed by the Inquiry will enter into force the 21 July 2026 according to the draft bill presented by the Government.⁵¹⁰

C. Detention conditions

1. Place of detention

⁵⁰⁴ Chapter 10, Section 4(2) Aliens Act.

⁵⁰⁵ Chapter 10, Section 4(2) Aliens Act.

⁵⁰⁶ Migration Court of Appeal, MIG 2019:17, 22 October 2019, available in Swedish [here](#).

⁵⁰⁷ Chapter 10, Section 4(1) Aliens Act.

⁵⁰⁸ The Swedish Migration Agency, information received via email in April 2026.

⁵⁰⁹ CAT, 'Concluding observations on the 8th periodic report of Sweden', 2021, available [here](#).

⁵¹⁰ The Swedish Government, Lagrådsremiss Skärpta regler om uppsikt och förvar, available in Swedish [here](#).

Indicators: Place of Detention

1. Does the law allow for asylum seekers to be detained in prisons for the purpose of the asylum procedure (i.e., not as a result of criminal charges)? Yes No
2. If so, are asylum seekers ever detained in practice in prisons for the purpose of the asylum procedure? Yes No

The Swedish Migration Agency is the responsible authority for running detention centres. During 2022 a new detention centre in Mölndal replaced the detention centre in Källered. During 2025, there were six detention centres (Gävle, Märsta, Flen, Mölndal, Ljungbyhed, Åstorp) with an overall capacity of 678.⁵¹¹

The detention centres have to take responsibility for all the third country nationals who have received an removal or deportation order. Thus, detention centres can also hold third country nationals who have never sought asylum but have received a removal order on other grounds such as minor crimes or for overstaying. However, persons who have a removal order because they committed a serious crime, with or without previously seeking asylum, may be detained and held either in a prison, remand prison or in police custody. Furthermore, detainees who pose a real threat to others, with or without previously seeking asylum, can also be transferred to a prison, a remand prison or police custody.⁵¹²

Detainees that have reached the age of 18 may be kept separated from others who are detained if this is necessary for maintaining order and security in the facility, or if he or she poses a serious danger to themselves or others. Decisions to keep someone separated are made by the Migration Agency.

The decision must be reconsidered whenever there is reason to do so, but at least every three days.⁵¹³

A child may never be placed in a prison or in police custody. There are no special detention centres for children. As is described below, the Commission of Inquiry reviewing the legislation on detention proposed that the Swedish Migration Agency should establish security units, so that, in a security case, a child may be placed in a security unit if there are exceptional reasons. The same applies to the placement of a child who has been expelled by a general court due to a criminal offence.⁵¹⁴ The Migration Agency's placement decision must, according to the proposal, be reviewed anew at least once a month. If a placement decision is not reviewed within the prescribed time, the decision ceases to apply.

The placement of asylum seekers and irregular migrants in police custody units and prisons in accordance with previously mentioned situations has for a long time been criticised by NGOs, the JO and the Council of Europe Committee on the Prevention of Torture (CPT).⁵¹⁵

The Commission of Inquiry reviewing the legislation on detention was, partly because of the critic of the JO, instructed to analyse whether there is a need to change the requirements for placing a detainee in prison, and to propose measures that would allow detained persons to remain in detention centres to a

⁵¹¹ Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).

⁵¹² Chapter 10, Section 20 Aliens Act.

⁵¹³ Chapter 11, section 7.

⁵¹⁴ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, chapter 11.16, p. 555, available in Swedish [here](#).

⁵¹⁵ See Swedish Refugee Law Center, 'Hur ser regelverket ut när det gäller förvar i Sverige och finns det problem med hur det tillämpas?', Rapport om Förvar av juriststudenterna Cecilia Alpin och Arvid Skagerlind vid Uppsala Universitet inom ramen för en människorättsklinik', 22 April 2020, Swedish Red Cross, 'Förvar under lupp (Detention centres under the magnifying glass)', May 2012, available [here](#). See also, CPT, 'Report sent to the Swedish Government on the visit to Sweden from 9 to 18 June 2009', 11 December 2009, available [here](#). See earlier AIDA reports for more details on the critic by the CPT. See also SOU 2025:16, *Ett nytt regelverk för uppsikt och förvar*, 17 February 2025, chapter 11.6, available in Swedish [here](#).

greater extent instead of being placed in prison.⁵¹⁶ The Commission suggests that the Swedish Migration Agency should establish security units in the detention centres, a change that would decrease the need to place detainees in prison.⁵¹⁷ The inquiry further proposes that a detained foreign national must not be placed under more intrusive supervision or control than necessary to maintain order or security. Decisions by the Migration Agency regarding such placements must be properly documented, justified, and recorded in a separate document.⁵¹⁸

2. Conditions in detention facilities

Indicators: Conditions in Detention Facilities

- | | | |
|---|---|--|
| 1. Do detainees have access to health care in practice? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ If yes, is it limited to emergency health care? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Chapter 11 of the Aliens Act contains specific rules on how the detention centre should be run. Third country nationals who are held in detention must be treated humanely and their dignity should be respected.⁵¹⁹ By humane treatment is meant that: (a) the foreigner is always the focal point and their case must be dealt with in a legally safe and expedient manner; (b) a good relationship must be established between the detainee and the staff from the very outset of the detainee's entry to the premises; (c) the foreigner must be able to feel secure and safe in this exposed situation; and (d) the staff must be sensitive to the needs of the detainee.

Conditions in detention centres should be as close as possible to those at regular reception centres, run by the Swedish Migration Agency. The only difference should be that the detainees are in a closed building and therefore have certain restrictions to their freedom of movement. Coercion or limitations in freedom of movement should not exceed what is necessary based on the grounds for the deprivation of freedom.

Religious observance is possible for persons of all creeds. It is a basic right according to the Swedish Constitution. However, this does not mean they can leave the centre to go to a mosque, shrine, or church. Instead, a neutral room is reserved for religious observance at the detention centre. Detainees are also able to request visits from pastors, imams and others who are important in their religious observance. Some faith communities see to it that a leader or representative visits the detention centre regularly.

While at the detention centre, the detainee has the right to a daily allowance in the same way as other asylum seekers. Sanitary towels and other provisions for hygiene for women are not provided for separately by the Swedish Migration Agency, but to covered by the daily allowance. A person who is being held in detention shall be given the opportunity for activities, recreation, physical training and time outdoors.⁵²⁰

If deemed necessary to uphold security, a detainee can be confined in their room if this is necessary for the orderly running of the centre and for safety reasons or if the foreigner represents a danger to themselves or to others. Such a decision must be reviewed as often as is required but at least every third day. If the person is a danger to themselves then a medical examination should be promptly ordered.⁵²¹ There is no requirement that detention confined to a room at the centre must be tried in practice before transferring someone to police custody or to the prison services.

⁵¹⁶ The Swedish Government, Moderna och ändamålsenliga regler för förvar, Dir. 2023:119, 10 August 2023, p. 10, available in Swedish [here](#).

⁵¹⁷ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, chapter 11, p. 487, available in Swedish [here](#).

⁵¹⁸ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, chapter 11.10, p. 519, available in Swedish [here](#).

⁵¹⁹ Chapter 11, Section 1 Aliens Act.

⁵²⁰ Chapter 11, Section 3 Aliens Act

⁵²¹ Chapter 11, Section 7 Aliens Act.

A detainee is not allowed to have alcoholic drinks or other stimulants or any object that can hurt anyone or be to the detriment of the keeping of order at the detention centre.⁵²² But, the detainee should be allowed to retain objects of personal value and other belongings.

Detainees have the right to freedom of information and the right to express opinions in the same way as other citizens. Therefore, no restrictions can be placed on the individual's possession of certain newspapers or magazines.

If the detention centre staff suspects that a detainee may be in possession of forbidden substances such as drugs, alcohol or objects that can harm others or be a threat to order at the centre then a body search can be ordered.⁵²³

Mail sent to the detainee can sometimes be the object of examination, in which case it should be opened in the presence of the detainee. If the detainee does not consent to the package being opened in their presence then the object should be put aside and not opened. An examination of the contents should not include reading a letter or other written documents. Mail from legal counsel, lawyers, international organisations that have the right to receive complaints from individuals or from the UNHCR must not be opened.⁵²⁴

Smart phones are not allowed in detention centres since they can be used to take photos of persons present there. Simpler mobile phones without a camera function can be borrowed from the detention centre.⁵²⁵ Personal belongings that the detainee cannot have in their room are stored at the detention centre, unless the property is illegal, in which case it is handed over to the police.⁵²⁶ They can have access to these objects upon leaving the detention centre, as a list needs to be made of all stored objects.

All detainees have access to health care at the same level as other applicants, therefore, requiring, regular visits from nurses and doctors.⁵²⁷ However, there have been problems in practice in this regard. In 2017 the Swedish Migration Agency made a request to the Government concerning this issue, highlighting, *inter alia*, a lack of cooperation between the Agency and the regions that are responsible for providing healthcare.⁵²⁸ The Commission of Inquiry investigated the relevance of the issues reflected in the request of 2017, and found out that some improvements occurred since, but others remained.

The Inquiry identifies three main problems:⁵²⁹ the right to a health examination, the organisation of and access to health care, and the compensation provided to the regions. The issue of organisation and access to health care also includes the question of medical supervision during isolation when the detained person poses a danger to themselves. The matter of procedures for transferring detained individuals is likewise part of this issue. The inquiry finds that the problems could be solved with more clear routines and deepened cooperation between the Swedish Migration Agency and the regions. It found no need for a change in the legislation.⁵³⁰

Inspections are carried out in detention centres in accordance with the Optional Protocol to the Convention against Torture. In Sweden, the designated National Preventive Mechanism (NPM) to carry

⁵²² Chapter 11, Section 8 Aliens Act.

⁵²³ Chapter 11, Section 9 Aliens Act.

⁵²⁴ Chapter 11, Section 10 Aliens Act.

⁵²⁵ Migration Agency, 'Supervision and detention', available in Swedish [here](#).

⁵²⁶ Chapter 11, Sections 11-12 Aliens Act.

⁵²⁷ Chapter 11, Section 5 Aliens Act.

⁵²⁸ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, chapter 12.2.7, p. 584, available in Swedish [here](#).

⁵²⁹ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, chapter 12.2.10, p. 592, available in Swedish [here](#).

⁵³⁰ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, chapter 12.2.10, p. 592, available in Swedish [here](#).

out the task is the JO. Following the inspection, several aspects of the use of detention have been criticized (see previous AIDA reports [here](#)).

3. Access to detention facilities

Indicators: Access to Detention Facilities

Is access to detention centres allowed to:

- | | | | |
|-------------------|---|----------------------------------|-----------------------------|
| ❖ Lawyers: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ NGOs: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ UNHCR: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ Family members: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |

Detainees are allowed visitors and to receive and make phone calls on an unrestricted basis. This also includes contacts with media or politicians. There can, however, be limitations based on practical reasons regarding the safe running of the detention centre.⁵³¹ Drunken visitors will not be admitted, nor will visits in large numbers at the same time. Visiting hours should be generous and flexible and at times that are suitable to the visitor. More flexibility is shown to members of the family than to adult friends of the detainees. These visitors can never be searched bodily, however, if it is necessary, a visit can be supervised for reasons of security. But a visit by legal counsel can only be supervised at the request of the detainee or legal counsel. If it is suspected that illegal objects have been handed over to the detainee then the detainee may be bodily searched after the visit. Visits should in general take place privately in a suitable room. If a visit is denied for some reason, the detainee has the right to appeal the decision. If a visitor does not wish to give their name then this is not in itself grounds to deny a visit, nor is it in itself sufficient grounds to decide to supervise the visit.

The Commissions of Inquiry that reviewed the legislation on detention was instructed to propose changes that could improve the security in detention facilities. Its first report included several proposals on, for example, the introduction of mandatory security screenings, room searches and supervising visits through the introduction of glass partitions in the visiting rooms. The Commission of Inquiry proposed that legislative changes enter into force on 1 July 2025.⁵³² The Government proposed a bill, based on the inquiry's report.⁵³³ The changes entered into force on 1 August 2025 as the bill was accepted by the parliament on the 17 July 2025.⁵³⁴

NGOs and UNHCR have unlimited access to detention centres. However, as of 2018, NGOs have to designate in advance the persons from their organisation who visit the detention centres. As far as the author is aware, this has not caused any particular issue in practice.

D. Procedural safeguards

1. Judicial review of the detention order

Indicators: Judicial Review of Detention

- | | | |
|---|---|-----------------------------|
| 1. Is there an automatic review of the lawfulness of detention? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. If yes, at what interval is the detention order reviewed? | 2 weeks or 2 months | |

⁵³¹ Chapter 11, Section 4 Aliens Act.

⁵³² The Swedish Government, 'Förbättrad ordning och säkerhet vid förvar', SOU 2024:5, 10 January 2024, available in Swedish [here](#).

⁵³³ The Swedish Government, Prop. 2024/25:161, Förbättrad ordning och säkerhet vid förvar, available in Swedish [here](#)

⁵³⁴ The Swedish Parliament, Betänkande 2024/25:SfU22, Förbättrad ordning och säkerhet vid förvar, available in Swedish [here](#).

With the exception of 48-hour detention of persons pending investigation on their right to remain in Sweden (see [Grounds for Detention](#)), a detention order must be reviewed within 2 weeks, while detention orders against persons issued with a removal decision are reviewed within 2 months.⁵³⁵ Review of alternatives to detention (“supervision”) is carried out within 6 months.⁵³⁶

Where time limits are not respected, a decision to detain or hold a person under supervision ceases to be legally binding.⁵³⁷

Each review of a detention order must be preceded by an oral hearing.⁵³⁸ This also applies to supervision unless it appears obvious from the nature of the investigation or other circumstances that no hearing is needed.

A decision regarding detention can be appealed.⁵³⁹ Depending on the authority responsible for the initial decision to detain, an appeal can be made either to the Swedish Migration Agency, the Migration Courts or to the Migration Court of Appeal. In the case of the latter, no leave to appeal is required (as is the case for an asylum application). In certain cases, it is the responsible minister that can make a decision on detention. This detention decision can be reconsidered in accordance with the time limits and changed by the Government. A government confirmation of a detention order can only be changed by another authority if new circumstances arise that are raised before the Swedish Migration Agency in the form of a subsequent application. However, a government order must also be reviewed according to the legal time limits.

In its report *The Commission of Inquiry* makes several proposals that clarify the responsibility for deciding to detain a third country national and to release a person from detention. Current legislation and the case law related to it is, in this regard, complex, including the question on which authority/court is responsible for the detention order.⁵⁴⁰ Under the proposed changes, the police and the security police can detain persons in some circumstances. In all other cases, the Migration Agency is responsible for detention. Therefore, the courts will never be responsible for the detention in this sense.⁵⁴¹

2. Legal assistance for review of detention

Indicators: Legal Assistance for Review of Detention

1. Does the law provide for access to free legal assistance for the review of detention?
 Yes No
2. Do asylum seekers have effective access to free legal assistance in practice?
 Yes No

After 3 days in detention, an asylum seeker has access to free legal assistance on detention matters only,⁵⁴² if needed, accompanied by an interpreter. Prior to that date, other persons such as a private lawyer, a person with a power of attorney, possibly from an NGO, and the applicant may request a review of the detention order.

A child detained on the basis of the Aliens Act is always appointed a legal counsellor if they have no parent in Sweden.⁵⁴³

⁵³⁵ Chapter 10, Section 9(1) Aliens Act.

⁵³⁶ Chapter 10, Section 9(2) Aliens Act.

⁵³⁷ Chapter 10, Section 10 Aliens Act.

⁵³⁸ Chapter 10, Section 11(1) Aliens Act.

⁵³⁹ Chapter 14, Section 9 Aliens Act

⁵⁴⁰ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, chapter 9.3, available in Swedish [here](#).

⁵⁴¹ SOU 2025:16, Ett nytt regelverk för uppsikt och förvar, 17 February 2025, chapter 9.4, available in Swedish [here](#).

⁵⁴² Chapter 18, Section 1(1)(4) Aliens Act.

⁵⁴³ Chapter 10, Section 1(3) Aliens Act.

E. Differential treatment of specific nationalities in detention

There is no information on specific nationalities being more susceptible to detention or systematically detained.

A. Status and residence

1. Residence permit

Indicators: Residence Permit

1. What is the duration of residence permits granted to beneficiaries of protection?	
❖ Refugee status	3 years, renewable for two years
❖ Subsidiary protection	13 months, renewable for two years
❖ Distressing circumstances (Humanitarian protection)	13 months, renewable for two years

Up until 20 July 2016, the vast majority of residence permits granted to persons in need of international protection or with humanitarian grounds were all permanent. They could, in principle, only be withdrawn if a person spent a major part of their time in another country or if a person was charged with a serious crime that involved deportation. Occasionally temporary permits were granted, mainly for medical reasons or for temporary hindrances to expulsion.

A new system was introduced in July 2016⁵⁴⁴ initially with the adoption of a temporary law.⁵⁴⁵ The government expressed that the law was proposed in order to deter asylum seekers from coming to Sweden.⁵⁴⁶ After a Cross-party Committee of Inquiry, on 22 June 2021 the Swedish Parliament voted in favour of introducing the proposed changes to the Aliens Act, which came into force on 20 July 2021. According to the changes introduced, temporary residence permits are the general rule for beneficiaries of international protection; while resettled refugees are granted permanent permits. Residence permits should remain limited to three years for refugees and 13 months for subsidiary protection status holders, in both cases extendable by two years subject to a new assessment. Beneficiaries of international protection can get permanent residence permits after having a temporary permit for at least three years, but need to demonstrate their ability to provide for themselves and, already as of the age of 15, so-called 'good conduct', i.e. can be expected to have an honest, non-criminal, lifestyle.⁵⁴⁷ The condition to provide for oneself does not apply to children, persons who are eligible for retirement pensions, or if there are other particular reasons.

On 9 April 2025, an official inquiry presented its first report on the discard of permanent residence permit and certain adjustments to match the minimum level as established in the EU Pact on migration and asylum.⁵⁴⁸

The Inquiry proposed establishing an arrangement with only temporary residence permits for refugees or persons eligible for subsidiary protection, resettlement (i.e., quota refugees), long-term residents and aliens who were granted residence permits based on exceptionally distressing circumstances, and for certain cases of impediments to enforcement. The Inquiry proposed that those covered by the proposals on phasing out the possibility of being granted a permanent residence permit should be able to obtain Swedish citizenship if they have reasonable prospects of obtaining the right of permanent residence.

The Inquiry also proposed introducing provisions that would make it possible to reject an asylum application in all situations where this is allowed under the APR. The Inquiry proposed introducing provisions that make it possible for the Swedish Migration Agency to declare an asylum application manifestly unfounded in all situations permitted under the APR.

⁵⁴⁴ For further details see AIDA, *Country Report Sweden, 2021 Update*, May 2022, available [here](#), 101.

⁵⁴⁵ Lag om tillfälliga begränsningar av möjligheten att få uppehållstillstånd i Sverige, 2016:752, available [here](#).

⁵⁴⁶ Government of Sweden, Temporary restrictions regarding the possibility of being granted a residence permit in Sweden, 22 June 2016, available in Swedish [here](#).

⁵⁴⁷ SOU 2020:54, En långsiktigt hållbar migrationspolitik, available in Swedish [here](#), page 25-28.

⁵⁴⁸ Utmönstring av permanent uppehållstillstånd och vissa anpassningar till miniminivån enligt EU:s migrations- och asylpakt (SOU 2025:31), available [here](#).

On 26 September 2025, the same official inquiry as mentioned above presented its final report, "Changing of permanent residence permit for certain Aliens (SOU 2025:99)".⁵⁴⁹

The Inquiry proposed introducing a special act on the revocation of permanent residence permits. The act would cover all aliens who have been granted permanent residence permits based on their refugee status, are eligible for subsidiary protection, have resettled in Sweden (i.e., as quota refugees), are long-term residents of Sweden or have been granted permanent residence permits on the grounds of exceptionally distressing circumstances or in cases of certain impediments to enforcement. The main rule according to the proposed act is that a permanent residence permit covered by the act should be revoked and replaced by a temporary residence permit, if the relevant conditions are met. The Inquiry proposed introducing an exemption according to which permanent residence permits would not be revoked for aliens who have initiated the process to obtain Swedish citizenship within a certain period of time and have not been denied citizenship through a decision that has become final and non-appealable.

On 21 November 2023, the Swedish Government instructed an official report of the Government to present an overview of the legal possibilities to deny and withdraw residence permits due to "vandel" / dishonourable conduct or other reasons. The inquiry presented its findings on 1 April 2025. The inquiry proposes, among other things, that a fundamental requirement of good conduct be reintroduced into the Aliens Act for the assessment of whether an individual should be permitted to enter or reside in Sweden. It also proposes that an individual's conduct may constitute grounds for refusing or revoking a residence permit not based on EU law. Beneficiaries of international protection are thereby not included in the personal scope of the proposed new requirement for good conduct. Examples cited include unwillingness to pay debts, abuse of the welfare system, or other forms of non-compliance with regulations. It may also concern close associations with criminal networks or violent extremist organisations. The amendments are proposed to enter into force on 1 July 2026.⁵⁵⁰ In October 2025, the Government proposed additional legislative changes to also include cases regarding family reunification when the applicant does not fulfil the requirement of good conduct and when the residence permit is not based on EU law.

If a person is considered to be a refugee, they will receive a refugee status declaration. If they are considered to be a person in need of subsidiary protection, they will receive a subsidiary protection status declaration.

Convention refugees are granted a three-year temporary permit with the right to [Family reunification](#). Beneficiaries of subsidiary protection are granted an initial period of 13 months temporary residence permit. A condition for [family reunification](#) is that the sponsor should have "well-founded" prospects of being granted a residence permit "for a longer time". The residence permit can be extended another two years if protection grounds persist. The temporary residence permit gives holders the right to live and work in Sweden for the duration of the permit. During that period the person has the same right to medical care as a person with a permanent residence permit.

A temporary residence permit may be granted when the circumstances in the case are exceptionally distressing.⁵⁵¹ The circumstances regarding the applicant's health condition, their private life in Sweden, and the situation in their country of origin should be taken into account when assessing this ground for a residence permit. The initial temporary permit is granted for thirteen months and could be prolonged for two years if the grounds persist.

666 first time applicants were granted permits for exceptionally distressing circumstances in 2025.⁵⁵²

⁵⁴⁹ Ändring av permanent uppehållstillstånd för vissa utlänningar (SOU 2025:99)

⁵⁵⁰ Government, "Skärpta och tydligare krav på vandel för uppehållstillstånd", SOU 2025:33 , 1 April 2025, available in Swedish [Skärpta och tydligare krav på vandel för uppehållstillstånd - Regeringen.se](#).

⁵⁵¹ Aliens Act Chapter 5, Section 6.

⁵⁵² Swedish Migration Agency, Monthly statistical report December 2025.

Temporary residence permits give the person the right to live and work in Sweden for thirteen months. During that time, they have the same right to medical care as a person with a permanent residence permit. The person's family is eligible for residence permits to join the sponsor in Sweden only in exceptional cases.

In 2025 the Swedish Migration Agency granted residence permits in 1,957 first time asylum applications, in comparison to 3,459 in 2024 and 4,197 in 2023.⁵⁵³

The vast majority of beneficiaries of international protection applying for a renewal of their temporary residence permits have had it granted. In 2025, the Swedish Migration Agency received 59,475 applications and took decisions in 57,539 cases. However, this statistic includes 36,968 decisions to renew temporary protection permits. The acceptance rates in cases examined on the merits was 99%. Besides Ukrainians, who were granted temporary protection, the majority of decisions concerned Syrians (4,982 decisions, of which 4,636 were granted, or 97 % of those tried on the merits), Afghans (3,670 decisions, of which 3,402 were granted, or 95 % of those tried on the merits), Eritreans (2,566 decisions, of which 2,476 were granted, or 99 % of those tried on the merits), Stateless persons (1,653 decisions, of which 1,563 were granted, or 98 % of those tried on the merits). The average processing time for applications to extend residence permits based on protection status was 164 days in 2025.⁵⁵⁴

2. Civil registration

Persons residing in Sweden need to register at the Swedish Population Register. All refugees and subsidiary protection status holders will therefore need to register at the Swedish Tax Agency, bringing documents such as passports and marriage certificates to a Swedish Tax Agency office.⁵⁵⁵

When a child is born in Sweden, the maternity ward gathers information about the child and parents and sends a notification to the Swedish Tax Agency. If one of the parents is registered in the Registry, the Tax Agency will register the birth and give the child a unique personal identity number which gives access to the welfare system, among others.⁵⁵⁶ If the parents are not registered, the Tax Agency will ask for additional information from the parents before registering the child. Thereafter, the Tax Agency will notify the Swedish Migration Agency, which will then inform the parents that they must apply for a residence permit for their child.⁵⁵⁷

To register an existing marriage that took place outside Sweden, the Swedish Tax Agency has to be notified and evidence of the marriage submitted. If the Tax Agency deems the marriage to be valid in Sweden, it is registered in the population register. Marriages that take place in Sweden require that the couple first go through a procedure with the Tax Agency to prove that there are no impediments to marriage (*"hindersprövning"*, such as marriages with underaged persons, polygamy, or marriages between siblings). A certificate from the Swedish Tax Agency has to be shown before any marriage ceremony. The person effecting the marriage ceremony must testify that a marriage took place and fill in the requisite form.⁵⁵⁸

Without civil registration, a person may have problems with: opening a bank account; working in Sweden; obtaining medical treatment; registering for social insurance. Civil registration is not necessary in order to attend Swedish language courses for a person who has a right to reside in Sweden.⁵⁵⁹

⁵⁵³ Swedish Migration Agency Monthly statistical report, December 2025.

⁵⁵⁴ SMA Monthly report 2023.

⁵⁵⁵ Skatteverket, 'Moving to Sweden', available [here](#).

⁵⁵⁶ Migration Agency, 'Children born in Sweden', available [here](#).

⁵⁵⁷ Skatteverket, 'New parents', available [here](#).

⁵⁵⁸ Swedish Tax Authority, 'Getting married in Sweden or abroad', available [here](#).

⁵⁵⁹ Education Act (Skollag (2010:800) Chapter 22, Section 13 and Chapter 29, Section 2. See National Board of Trade, 'Without a personal identity number in Sweden', available [here](#).

Delayed registration with the social insurance office can also cause problems for access to health insurance and the right of a parent to be at home with a sick or new-born child and get paid the appropriate rate.

Persons who are not residing in Sweden but need to have contact with Swedish authorities could be assigned a Coordination number by the Swedish Tax Agency. For example, asylum seekers who are working in Sweden will need a Coordination number.⁵⁶⁰ Coordination numbers are assigned upon requests from other public authorities or upon request from the concerned individual. In September 2023, changes in the registry system were made introducing three different types of coordination numbers, clarifying whether the identity has been assessed as confirmed, probable, or uncertain. For the highest level of coordination number, confirmed identity, the applicant must appear in person at the Tax Agency, this may include registering fingerprints. Coordination number upon the request of the individual will only be assigned if the individual's identity can be confirmed. In practice, passports, travel document (or EU identity card for EU citizens) can be accepted to confirm identity.

3. Long-term residence

Indicators: Long-Term Residence		
1. Number of long-term residence permits issued to beneficiaries in 2025: including all applicants, not only BIP.	4,655	561

Applying for long-term residence status was previously not necessary for beneficiaries of international protection since they were granted permanent residence permits until 2016. Moreover, most refugees preferred to apply for citizenship after 4 years of residence rather than applying for long-term residence statuses. However, refugees must also hold a permanent residence permit in order to be naturalised. Following the shift to temporary residence permits in 2016, obtaining long-term residence status has become an increasingly relevant option as persons obtaining this status also obtain a permanent residence permit in Sweden. The national legislation overall reflects the conditions in Directive 2003/109/EC. For protection status holders the minimum five-year residence period is calculated from the time of asylum application.⁵⁶²

4. Naturalisation

Indicators: Naturalisation		
1. What is the waiting period for obtaining citizenship?		
❖ Refugee status, statelessness		4 years
❖ Subsidiary protection		5 years
2. Total number of citizenship grants in 2025:	33,891	
3. Number of citizenships through naturalisation in 2025:	21,771	

According to the Act on Swedish Citizenship (2001:82), in order to acquire citizenship in Sweden through application, a person must:

- ❖ Be able to prove their identity;
- ❖ Have reached the age of 18;
- ❖ Have a permanent residence permit, a right of residence or residence card in Sweden;
- ❖ Have fulfilled the requirements for period of residence (lived in Sweden for a specified period, see table above);
- ❖ Have good conduct in Sweden.

To become a Swedish citizen, as a rule, a person must have lived in Sweden on a long-term basis for a continuous period of five years. Habitual residence means that the person is a long-term resident and

⁵⁶⁰ Skatteverket, 'Coordination numbers', available [here](#).

⁵⁶¹ Information provided by the Swedish Migration Agency via email in January 2026.

⁵⁶² Aliens Act, Chapter 5, Section 2 b and Chapter 5 a Section 1 and 2.

intends to remain in Sweden. Whether it is possible to count all the time spent in Sweden as a period of habitual residence depends on the reason why the person settled and the permit they have had during their time here. The main rule is that time with a residence permit that leads to a permanent residence permit is counted as a period of habitual residence. If the person is **stateless** or a **refugee**, they only have to have resided in Sweden for four years.⁵⁶³

If a person had a permanent residence permit or a residence permit for settlement when they entered Sweden, they count the duration of stay from the date of arrival. Otherwise, the duration of stay is calculated from the date on which the application for a residence permit was submitted, if that application was approved. If the application was initially rejected and the person then submitted a new application, the time is counted from the date on which they received approval.

A child can obtain Swedish citizenship through notification by the parent or guardian, if the child has a permanent residence permit and has been residing in Sweden for three years, or two years if the child is stateless.⁵⁶⁴ The requirement for a child to have a permanent residence permit may be waived in case the parent is also applying for and is granted Swedish citizenship.⁵⁶⁵ On 1 October 2024, new conditions were introduced for children over 15 years. Citizenship will not be provided to persons over 15 years of age if the person

- is suspected on reasonable grounds of a serious offence
- has been convicted of a serious offence or repeated offences
- is a threat to Swedish security or public safety; or
- has links to groups or organisations that commit abuses against other people.⁵⁶⁶

If a person is married to a Swedish citizen or living in a registered partnership with or cohabiting with a Swedish citizen, they can apply for Swedish citizenship after three years. In these cases, the couple must have lived together for the past two years. It is not enough to be married to one another; they must also live together.

If the person's partner used to have a nationality other than Swedish nationality or was stateless, they must have been a Swedish citizen for at least two years. The applicant must also have adapted well to Swedish society during their time in Sweden. Relevant criteria can include the length of the marriage, knowledge of the Swedish language and ability to support oneself.

If the person has previously been in Sweden under an identity that is not their correct identity or if they have impeded the execution of a refusal-of-entry order by, for example, going into hiding, this may hamper possibilities of obtaining citizenship after three years.⁵⁶⁷

The decision is taken by the Migration Agency and can be appealed to the same instances as in the case of applications for protection status and residence permit. Rejection grounds include proving ones' identity and meeting the requirements of good conduct in Sweden. Matters that are taken into account include *inter alia* whether the person has been abiding with the law or not, and whether the person has properly managed bank loans well or other finances (personal and other).

An applicant that cannot prove their identity may obtain Swedish citizenship after eight years of habitual residence. This concerns cases where they are not able to get documents that could prove their identity but the identity could at least be assessed as probable. The Migration Agency does not consider that

⁵⁶³ Act on Swedish Citizenship, Section 11.

⁵⁶⁴ Act on Swedish Citizenship, Section 7.

⁵⁶⁵ Migration Court of Appeal Case MIG 2024:10, available [here](#)

⁵⁶⁶ Government proposal, here: [Förslag om ändringar i medborgarskapslagen har överlämnats till riksdagen - Regeringen.se](#)

⁵⁶⁷ Act on Citizenship (Medborgarskapslagen) Section 12, see also Migration Court of Appeal case MIG 2007:28

passports issued by Afghan or Somali authorities may prove the identity of the passport holder as regards applications for Swedish Citizenship.⁵⁶⁸

The Migration Court of Appeal published a decision in May 2023 in a case where the Migration Agency had rejected an application for Swedish citizenship. During his asylum procedure, the applicant had first said he was born in 1998, but later in the process said he was born in 1992. The Migration Agency did not find the information credible and registered his year of birth as 1989. When applying for citizenship the applicant handed in a passport with the same date of birth as registered by the Migration Agency. The Migration Court of Appeal found that the passport could prove his identity due to the conflicting information regarding his date of birth. The fact that the applicant himself had provided the inconsistent information regarding his age also led the Court to conclude that he had not made his identity probable and could not be granted Swedish citizenship.⁵⁶⁹

The Migration Court of Appeal published a decision in June 2023, where it found that a person who had been enrolled in unarmed service in the Syrian Army during the armed conflict should be denied Swedish citizenship until a substantial time has elapsed since that service. As he had been active in an organisation that committed systematic and grave forms of abuses such as torture, murder, and extrajudicial executions, the Court found that citizenship should not be granted until a substantial time has passed since the person was active in that organisation. In this case, the person had left the Syrian Army in 2013. According to precedent rulings, “a substantial time” implies that 25 years shall have passed.⁵⁷⁰

In September 2023 the Government instructed an official report of the Government to suggest new and more restrictive conditions for access to Swedish citizenship, including a longer habitual residency in Sweden and stricter demands for a good character.⁵⁷¹ In June 2024 the Government decided to give additional instructions to this report: it shall also propose how the notification procedure could be abolished, propose further requirements for acquiring citizenship for adults born in Sweden and stateless since birth; and consider limiting the possibility to be granted an exemption from the naturalisation conditions due to special reasons.⁵⁷² In January 2025, the report presented its findings,⁵⁷³ proposing that:

- The applicant must have had a habitual residency in Sweden during eight years. Children should have had residency for at least three years, two years for stateless children, five years for stateless adults and seven years habitual residency for refugees. If an applicant cannot prove their identity, a habitual residence of ten years for adults or seven years for children is required.
- The conditions regarding good conduct and lifestyle should be stricter applied. For example, it is clarified that having committed crimes outside of Sweden should be considered, that non-contact orders is a form of misconduct, and that the waiting time after committing an offence should be longer than it is today (currently it varies depending on the type of misconduct).
- The notification procedure for citizenship should be withdrawn for children and young adults aged 18 to 20. Children acquiring Swedish citizenship should be conditional on them having resided in Sweden for a certain period, holding a permanent residence permit and having proved their identity. The notification procedure would still apply to children and young adults aged 18 to 20 who have been stateless since birth and were born in Sweden.
- The applicant must fulfil an income requirement, with earnings from employment or self-employment. The income level is based on the standard minimum level of maintenance used by the Enforcement Agency. Exceptions can be made for applicants studying at Upper Secondary

⁵⁶⁸ SMA, ‘The Swedish Migration Agency’s assessment of identity documents’, available [here](#).

⁵⁶⁹ Migration Court of Appeal case MIG 2023:7, available in Swedish [here](#).

⁵⁷⁰ Migration Court of Appeal case MIG 2023:8, available in Swedish [here](#).

⁵⁷¹ Government, ‘Skärpta krav för att förvärva svenskt medborgarskap’, 8 September 2023, available in Swedish [here](#).

⁵⁷² Government, *Åtgärder för att ytterligare skärpa kraven för svenskt medborgarskap - Regeringen.se*.

⁵⁷³ Government, English summary available in SOU 2025:1 *Skärpta krav för svenskt medborgarskap - Regeringen.se*.

School (gymnasium) or receiving retirement pension. In addition, it should be required that applicants for Swedish citizenship have not received income support under the Social Services Act for a period totalling more than six months in the three years prior to application.

- A previous official report (SOU 2021:2) proposed that applicants must pass an exam in Swedish language and about Swedish society. The new proposal includes further details on the content of the exam on the subject of Swedish society and Swedish culture.
- The changes should enter into force on 1 June 2026.
- As of January 2026, these proposals have not yet been referred to the Parliament for voting.

In 2025, the Swedish Migration Agency registered 40,961 new applications for Swedish citizenship (naturalisation applications). A total of 34,642 first instance decisions were issued in 2025, out of which 66 % granted citizenship. The majority of citizenship requests were granted to applicants from Syria (2,940), Afghanistan (2,548), India (1,572), Eritrea (1,493), and Poland (1,475).⁵⁷⁴ The Swedish Migration Agency had 93,947 requests pending at the end of the year.⁵⁷⁵

The average number of days from application to decision at first instance was 782 in 2025, compared to 425 in 2024.⁵⁷⁶

5. Cessation and review of protection status

Indicators: Cessation

1. Is a personal interview of the beneficiary in most cases conducted in practice in the cessation procedure? Yes No
2. Does the law provide for an appeal against the first instance decision in the cessation procedure? Yes No
3. Do beneficiaries have access to free legal assistance at first instance in practice? Yes (if risk of expulsion) With difficulty No

Swedish legislation on cessation and revocation of status of international protection has changed since the implementation of relevant recast EU Directives. Relevant legislation can be found in Chapter 4 of the Aliens Act. Sweden adheres to relevant EU legislation and national law.

According to Chapter 4, Section 5, a person ceases to be a **refugee** when they:

- ❖ have of their own free will used the protection of the country of which they are a citizen;
- ❖ voluntarily apply for and regain citizenship of said country;
- ❖ apply for and get citizenship in another country;
- ❖ return and reside yet again in the country where they used to reside;
- ❖ when the circumstances in connection with which they have been recognised as a refugee have ceased to exist or have changed to such a degree that protection is no longer required. The changes must be durable and fundamental.

Chapter 4, Section 5a provides that a person will cease to be considered as in need of **subsidiary protection** (*alternativt skyddsbehövande*) if the circumstances that lead to him or her being considered in need of such protection have ceased to exist or have changed to such a degree that protection is no longer required. The changes must be durable and fundamental.

In both Sections 5 and 5a of Chapter 4, it is stipulated that the status should not be considered as ceased if the refugee/beneficiary of subsidiary protection is able to invoke compelling reasons arising out of previous persecution/experiences constituting the ground for protection, respectively, for refusing to avail

⁵⁷⁴ The Swedish Migration Agency, Statistics on Swedish citizenship, available in Swedish [here](#).

⁵⁷⁵ The Swedish Migration Agency Monthly statistical report December 2025.

⁵⁷⁶ Information provided by the Swedish Migration Agency in January 2025.

themselves of the protection of the country of nationality or, being a stateless person, of the country of former habitual residence.

With the shift from permanent to temporary residence permits through the Temporary Law introduced in 2016, the questions of cessation and withdrawal of protection status came much more in focus. The Migration Agency, which is also responsible for cessation procedures, therefore issued guidance on these topics.⁵⁷⁷ When a beneficiary of international protection applies for an extension of their residence permit or applies for Swedish citizenship, the questions of cessation and withdrawal of protection status can be looked into if new information has appeared. Case law highlights that the burden of proof lies with the Swedish authorities.⁵⁷⁸

In 2021, the Migration Court of Appeal decided in a precedent case on the issue of cessation and revocation of subsidiary protection when the beneficiary, who was granted protection because of child-specific risks, has become an adult.⁵⁷⁹ The case concerned an **Afghan** citizen who was granted subsidiary protection in Sweden as a child, in line with the Migration Court of Appeal ruling in MIG 2017:6. The Court found that subsidiary protection status had ceased and should be revoked. The fact that the beneficiary had become an adult was considered such a fundamental change that the status could be revoked, and that there were no other protection grounds.

If the Migration Agency considers that a situation of cessation might be at hand, e.g., following an application for extension of the residence permit by a beneficiary of international protection, a withdrawal procedure will be initiated. (see [Withdrawal of protection status below](#)).

In 2021, the Swedish Refugee Law Center published a report on cessation, developed with support by UNHCR, including a case study of the Migration Agency's cessation cases during a six-month period. Cessation of refugee status was in all cases due to voluntary re-availment of protection of the country of nationality. No protection status was withdrawn based on cessation due to a change of circumstances in the country of origin, either for refugee status or subsidiary protection status.⁵⁸⁰

6. Withdrawal of protection status

Indicators: Withdrawal

1. Is a personal interview of the beneficiary in most cases conducted in practice in the withdrawal procedure? Yes No
2. Does the law provide for an appeal against the withdrawal decision? Yes No
3. Do beneficiaries have access to free legal assistance at first instance in practice?
 Yes (if risk of expulsion) With difficulty No

Swedish legislation on cessation and revocation of status of international protection has changed since the implementation of relevant recast EU Directives. Relevant legislation can be found in Chapter 4 of the Aliens Act. Sweden adheres to relevant EU legislation and international law.

A refugee or subsidiary protection status shall be withdrawn if the person cannot be regarded as a refugee or in need of subsidiary protection. The grounds for withdrawal are based on the grounds included in Qualification Directive article 14 and 19:⁵⁸¹ cessation, exclusion, committing a serious crime, danger to

⁵⁷⁷ Migration Agency, *Rättsligt ställningstagande. Förutsättningarna för att återkalla en skyddsstatusförklaring - RS/054/2021* (version 5.0), 8 December 2023, available in Swedish [here](#).

⁵⁷⁸ Migration Court of Appeal, MIG 2011:13, 13 June 2011, available [here](#).

⁵⁷⁹ Migration Court of Appeal, MG 2021:14, 8 July 2021, available in Swedish [here](#).

⁵⁸⁰ Swedish Refugee Law Center, *What happens when the need for protection ends?*, May 2021, available in Swedish [here](#).

⁵⁸¹ Aliens Act Chapter 4, Section 5 b, for refugee status and Aliens Act Chapter 4, Section 5 c, for subsidiary protection status.

national security, and misrepresentation or omission of facts. According to case law, to withdraw subsidiary status due to committing a crime, at least one of the crimes committed must be a serious crime.⁵⁸²

Decisions on withdrawal of protection status are taken by the Migration Agency. There is no explicit requirement for conducting a personal interview, however the Migration Agency's position is that a personal interview should be held in these cases given the impact the decision can have for the individual as well as the fact that the burden of proof rests with the Migration Agency. The beneficiary of protection will be informed by letter that the Migration Agency has started a case regarding withdrawal of status. The beneficiary of protection will have the possibility to respond to relevant questions either in written form or at an interview. Withdrawal of status does not automatically lead to withdrawal of residence permit. A permanent residence permit may only be withdrawn when the permit was granted based on false information. If the person of concern has lived in Sweden more than four years, her/his permit may only be withdrawn when there are exceptional grounds. If the status should be withdrawn in the process of renewal of permit, a residence permit may be granted if the applicant fulfils the condition for another ground for residence permit. If the possibility of expulsion arises as a result of the withdrawal procedure, a legal counsel is appointed on the same grounds as in a normal asylum case.⁵⁸³ Decisions to withdraw status can be appealed to the Migration Court, and Migration Court judgments can be appealed to the Migration Court of Appeal, subject to leave to appeal. The time limit for appeal is three weeks, and the Migration Court may assign a legal representative when a decision of withdrawal has been appealed.

On 21 November 2023, the Swedish Government instructed an official report of the Government to present an overview of the legal possibilities to deny and withdraw residence permits due to "vandel" / dishonourable conduct or other reasons. The inquiry presented its findings on 1 April 2025 (see [Residence Permit](#) for information on the findings).

In a Government Bill in November 2023, the Government proposed that it shall be possible to withdraw a residence permit if it can be assumed that the person will engage in corporate espionage conducted by a foreign state or activity relating to terrorism.⁵⁸⁴ This proposal was approved by the Parliament and came into force on 1 March 2024.

In 2025, 533 cases regarding residence permits and 584 cases concerning citizenship were reported to the Swedish Security Service. In 2024, 593 cases regarding residence permits and 1,051 cases concerning citizenship were reported to the Swedish Security Service.⁵⁸⁵

In 2025, the Swedish Migration Agency withdrew international protection status for 969 individuals.

In 2024, the Swedish Migration Agency withdrew international protection status for 1,003 individuals (712 refugee status, 291 subsidiary protection). The most common nationalities regarding refugee status were Syria (101), Afghanistan (73), Iraq (66), regarding subsidiary protection status the most common nationalities were Syria (114), Afghanistan (107), and Iraq (15).⁵⁸⁶

⁵⁸² See case MIG 2020:16 the Migration Court of Appeal, available in Swedish [here](#).

⁵⁸³ Migration Agency, Rättsligt ställningstagande. Förutsättningarna för att återkalla en skyddsstatusförklaring - RS/054/2021 (version 5.0), 8 December 2023, available in Swedish [here](#).

⁵⁸⁴ Swedish Government, 'Vissa ändringar i regelverket om säkerhetsärenden enligt utlänningslagen', Prop. 2023/24:36, 7 November 2023, available in Swedish.

⁵⁸⁵ Swedish Migration Agency, 'Annual Report 2025', Dnr: MVA-2026-00711, 20 February 2026, available in Swedish [here](#).

⁵⁸⁶ Information provided by the Migration Agency's statistical unit in April 2025. It is worth noting that 146 refugee statuses were revoked for individuals who had, by that time, already become Swedish citizens.

B. Family reunification

1. Criteria and conditions

Indicators: Family Reunification

1. Is there a waiting period before a beneficiary can apply for family reunification?
 Yes No
❖ If yes, what is the waiting period?
2. Does the law set a maximum time limit for submitting a family reunification application?
 Yes No
❖ If yes, what is the time limit?
Time limit of 3 months to be exempted from maintenance requirement.
3. Does the law set a minimum income requirement?
 Yes No

1.1. Eligible beneficiaries and family members

As mentioned in the section related to the [Residence permit](#), the 2016 temporary law and then 2021 amendments to the Aliens Act affected peoples' ability to get a residence permit, the length of the residence permit as well as the ability to reunite with family members.⁵⁸⁷

In general, the right to family reunification is limited to core family members only, although other family members may be accepted under special circumstances. It also includes requirements on incomes and housing (i.e., the size and standards of housing). The right to family reunification is available to both refugees and beneficiaries of subsidiary protection. For refugees, these requirements must be met when family members apply for family reunification more than three months after the beneficiary was granted protection status. Until 1 December 2023, beneficiaries of subsidiary protection were also exempted from these requirements within the same time limit as refugees. However, since 1 December 2023, beneficiaries of subsidiary of protection are not exempted from these requirements.

Personal scope – sponsors and beneficiaries

With the Temporary law valid until 19 July 2019, only refugees had the right to be reunited with their nuclear family, while beneficiaries of subsidiary protection were subject a general ban save restricted exceptions. On 20 October 2022, the ECtHR ruled in the case *M.T. and Others v. Sweden* and found that in that particular case the restrictions to the right to family reunification for the applicants concerned, where the person in Sweden was a beneficiary of subsidiary protection, did not breach Article 8 of the ECHR or Article 14 in conjunction with Article 8.⁵⁸⁸ The extension of the Temporary Law in 2019 removed the ban on family reunification for beneficiaries of the subsidiary protection which is now available to both. This was mainly the result of litigation efforts and a Migration Court of Appeal ruling where the denial of family reunification for a young Syrian child was considered in breach of Article 8 of the European Convention on Human Rights (ECHR) and Articles 3, 9 and 10 of the United Nations Convention on the Rights of the child (CRC).⁵⁸⁹

Beneficiaries of international protection are required to either have a permanent residence permit or have “well-founded” prospects of being granted a residence permit “for a longer time” in order to be entitled to family reunification.⁵⁹⁰ However, that requirement does not apply for an unaccompanied child whose parent(s) apply for family reunification. With the exception of certain cases (e.g., in the case of cessation or withdrawal procedures), the Swedish Migration Agency considers that beneficiaries of protection, who

⁵⁸⁷ For further details see AIDA, *Country Report Sweden, 2021 Update*, May 2022, available [here](#), 101.

⁵⁸⁸ ECtHR, *M.T. and Others v. Sweden*, Application No 22105/18, 20 October 2022, available [here](#).

⁵⁸⁹ Migration Court of Appeal, MIG 2018:20, 13 November 2018, available in Swedish [here](#).

⁵⁹⁰ Aliens Act, Chapter 5, Section 3 Note that the Swedish translation of “reasonable” in Article 3 of the Family Reunification Directive is equal to “well-founded” rather than reasonable.

since 2016 have temporary residence permits, have “well-founded” prospects of being granted such a residence permit in practice, unless it is clear from Swedish Migration Agency Legal Guidance that the situation in the county of origin has changed so fundamentally that protection status shall be withdrawn.⁵⁹¹

The following persons are eligible for family reunification:

- ❖ Husband, wife, registered partner or cohabiting partner over 18 years;
- ❖ Children under the age of 18 years at the time of application (see below regarding when age is assessed in practice);
- ❖ Parents to a child with protection status.
- ❖ Other relatives and children over 18 years may be eligible to reunite with the sponsor in Sweden if a particular dependency exists.

As from 1 December 2023, residence permit may be denied if one of the spouses or cohabiting partners are under 21 years.

If the person in Sweden has a permanent residence permit, family reunification can also take place with the person they plan to marry or cohabit with in Sweden, subject to income and housing requirements (see below).

There is no difference in the law between the right to family reunification for heterosexual couples and for same-sex couples. In the case of a couple that has not lived together as partners at the time of application, residence permit may be granted if the relationship is considered serious.

In 2022, in a precedent ruling,⁵⁹² a case litigated by the Swedish Refugee Law Center, the Migration Court of Appeal found that when determining the age of the sponsor the relevant time should be the time of application of family reunification, rather than at the time of the decision on family reunification, if the reference person is under 18 years when the application for family reunification is lodged. There shall be no condition that the application must be lodged within three months from the decision of residence permit for the reference person if the reference person is under 18 years at the time of application. The Migration Court of Appeal referred to the CJEU case C-133/19.⁵⁹³

In addition to this precedent ruling, the Swedish Migration Agency issued a legal position in 2022 regarding the relevant time for determining the age of the applicant or the sponsor. According to the legal position:⁵⁹⁴

- ❖ For a child who apply to a reunite with a parent in Sweden:
 - In principle, the relevant time is the time of application for family reunification, or,
 - In cases when the application for family reunification is made within three months from when the parent was granted residence permit and protection status the relevant time is when the parent applied for asylum.
- ❖ For a parent who applies to reunite with a child in Sweden:
 - In principle, the relevant time for determining the age of the child/reference person is the time of application for family reunification, or,
 - In cases when the child was under 18 years when applying for asylum but has turned 18 years at the time of application for family reunification, that child is still considered as a child if the application for family reunification was lodged within three months from the date the child was granted residence permit.

⁵⁹¹ Swedish Migration Agency Legal position RS(080/2021, Migrationsverket Rättsligt ställningstagande Kravet på välgrundade utsikter att beviljas varaktigt uppehållstillstånd - RS/080/2021 (version 3.0), available in Swedish [here](#).

⁵⁹² Migration Court of Appeal, Decision MIG 2022:11, 8 December 2022, available in Swedish [here](#).

⁵⁹³ CJEU, Case C-133/19, *B.M.M., B.S., B.M., B.M.O. v. Belgium*, 16 July 2020, available [here](#).

⁵⁹⁴ Migration Agency, *Rättsligt ställningstagande. Tidpunkt för bedömning av barns ålder i ärenden om uppehållstillstånd på grund av familjeanknytning* - RS/001/2022 (version 3.0), updated May 2023 available in Swedish [here](#).

In December 2025, the Migration Court of Appeal found that the unconditional right of an unaccompanied refugee child to reunification with their parents means that, when the parents are granted a residence permit, minor siblings must also be granted a residence permit, unless special circumstances indicate that they do not have a dependent relationship with their parents. Parents with a residence permit based on family ties will not be considered as sponsors according to the Aliens Act, and there is no special provision on the right for siblings to be granted a residence permit. The Migration Court of Appeal referred to EU law and the CJEU case C-560/20, of 30 January 2024, as a ground for residence permit for the siblings.⁵⁹⁵ Prior to this decision, siblings of unaccompanied minors had not generally been granted residence permit even if permits have been granted to their parents.

The Swedish Government instructed an official report of the Government to review the Swedish regulatory framework for family member immigration with the aim of achieving a restrictive and effective regulation. On 5 September 2025, the Inquiry presented its report “Stricter conditions for immigration based on family ties”.⁵⁹⁶

The Inquiry proposed that, as a general rule, for an application for a residence permit based on family ties to a person with a temporary residence permit to be granted, the sponsor must have lived in Sweden with a residence permit for at least two years at the time the application is submitted. Certain cases should be exempt from the waiting period, including cases relating to unaccompanied minors and certain cases involving refugees. It should also be possible to make exceptions to the waiting period if there are special grounds to do so.

The Inquiry also proposed that the regulation on family member immigration for situations not covered by EU law should be entirely optional in its design, even in cases involving the immediate family.

Furthermore, the Inquiry proposes that the maintenance requirement should, as a general rule, also apply when assessing an application for an extension of a residence permit based on family ties.

Proving one’s identity

For several years, one of the major obstacles to family reunification related to the obligation to prove one’s identity, as laid down in law. A number of precedent-setting rulings from the Migration Court of Appeal, the first from 2012, have allowed for the reunification of families who are unable to prove their identity. The Migration Appeal Court handed down a ruling on 5 March 2018, stating that for refugees and their nuclear family the level of proof of identity could be relaxed because it was unreasonable to expect them to approach their national authorities to obtain a passport and thereby endanger the situation of remaining family members in the country of origin.⁵⁹⁷ In such cases a DNA test would be taken as a first instance measure as a means of proving identity. The Swedish Migration Agency has accepted this standard of proof both for refugees and for beneficiaries of subsidiary protection in cases where the family has lived together.⁵⁹⁸

DNA testing is offered by the Swedish Migration Agency to applicants in cases where the biological relationship has not been sufficiently established. If it is evident that such relationship does not exist, or if the application will be rejected on other grounds, DNA testing will not be offered. Costs for test-taking, transport and analysis of tests are covered by the State. If DNA testing is not offered by the Swedish Migration Agency, the applicant may pay for and present a DNA analysis. The applicant can get reimbursed if the DNA analysis verifies the biological relationship and the residence permit is granted.⁵⁹⁹

⁵⁹⁵ Migration Court of Appeal MIG 2025:14 available [here](#).

⁵⁹⁶ Skärpta villkor för anhöriginvandring (SOU 2025:95), available [here](#).

⁵⁹⁷ Migration Court of Appeal, MIG 2018:4, UM-2630-17, 5 March 2018, available [here](#).

⁵⁹⁸ Migration Agency, *Rättsligt ställningstagande. Afghanska medborgares möjligheter att skaffa pass - RS/087/2021*, 11 October 2021, available in Swedish [here](#).

⁵⁹⁹ Aliens Act Chapter 13 Section 15 and 16.

The Swedish Migration Agency may issue a temporary alien's passport in cases where the applicant is granted residence permit but has no valid travel document.

1.2. Material requirements and procedure

Material requirements

Everyone who wants to bring their family members to Sweden must be able to financially support both themselves and their family members and must have a domicile of sufficient standard and size. Refugees whose family applies for family reunification within three months of the sponsor being granted a permit are exempt from this requirement. The exemption only applies to families who have cohabited, or when the relationship otherwise is considered as well established. Unaccompanied minors applying to be reunited with their parents are exempted from the maintenance requirement.

The income requirement is based on a standard amount for each member of the household that must be met after the rent/housing cost has been deducted. For 2025, the standard amount as from 1 January was:

- ❖ SEK 6,186 / 578 € for a single adult
- ❖ SEK 10,219 / 954 € for spouses or partners living together
- ❖ SEK 3,306 / 309 € for each additional child aged 6 years or younger
- ❖ SEK 3,967 / 370 € for each additional child aged 7 to 10 years
- ❖ SEK 4,629 / 432 € for each additional child aged 11 to 14 years
- ❖ SEK 5,290 / 494 € for each additional child aged 15 years or older⁶⁰⁰

The sponsor should have an accommodation of sufficient size and standard. For two adults without children a home is big enough if it has a kitchen or kitchenette and at least one room. If children are going to live in the home, there must be more rooms. Two children can share a bedroom.⁶⁰¹

With the changes in the Aliens Act that came into force 20 July 2021, some exceptions were introduced to the maintenance requirement. When there are special reasons, the maintenance requirement may be lifted fully or partly. The preparatory work gave as an example that there could be special reasons for persons who have retired from the labour market or who are unable to work due to disability or sickness.

In 2024, the ECtHR issued three judgments regarding the application of the maintenance requirement in Sweden.

In the ECtHR case *Dabo v. Sweden* (App. No. 12510/18), of 18 January 2024, the ECtHR found no violation of Article 8 concerning an application for family reunification submitted by an applicant from Syria with refugee status in Sweden. Family reunification with his wife and five children was rejected by the Swedish migration authorities because he did not fulfil the maintenance requirement. The applicant argued that in reality hardly anyone could meet the maintenance requirement as it was applied. The applicant estimated he would need a monthly salary of at least 45,000 SEK (approx. 3,900 EUR) before tax to meet the maintenance requirement — a sum few employees earn. The ECtHR found that the decision to deny the family residence permit did not violate the principle of the best interests of the child nor Article 8 of the ECHR. The Court observed that the best interests of a child, of whatever age, cannot constitute an unassailable consideration that requires the admission of all children who would be better off living in a Contracting State. The Court concluded that in the circumstances of the present case, the domestic authorities struck a fair balance between the interests of the applicant and those of the State in controlling immigration, and that they did not overstep the margin of appreciation afforded to them when refusing the request for family reunification.

⁶⁰⁰ Aliens Act Ordinance Chapter 4, Section 4d

⁶⁰¹ Migration Agency Regulation 2022:8, available in Swedish [here](#).

In the ECtHR case, *Okubamichael Debru v Sweden* (App. No.49755/18), of 25 July 2024, the ECtHR found no violation of Article 8 concerning an application for family reunification submitted by an applicant from Ethiopia in Sweden. The Court noted that the refusal of family reunification was justified because the maintenance requirement was not fulfilled and the applicant applied outside the three months exemption period, thus the national authorities had duly assessed the circumstances of the case. The applicant invoked difficulties to fulfil the income requirement due to his health status and age. The Court found that there were no exceptional reasons to be exempted from the financial requirement. Thus, the Court found that national authorities struck a fair balance between the private interest of the applicant and the State's interest to control immigration and found no breach of Article 8 of the ECHR.⁶⁰²

In the ECtHR case *DH and Others v Sweden* (App. No. 34210/19), of 25 July 2024, the ECtHR found no violation of Article 8 concerning an application for family reunification submitted by an applicant with refugee status in Sweden, who was a woman with disabilities. The Court noted that the applicant's mobility was reduced to some extent, that she was unable to perform some kinds of work, including hard physical labour, and that she did not succeed in finding employment in the period from when she was granted a residence permit, until the decision to refuse family reunification became final. However, the Court found that the applicants had not submitted any substantiation of their claim that the applicant had disabilities to such an extent that she was unable to work, or that she had applied for work in vain. The Court found that the refusal of family reunification was justified because the maintenance requirement was not fulfilled.

In December 2025, the Government presented a proposal to adjust the model for calculating the income requirement, thereby raising the necessary income level.⁶⁰³

Procedure

The procedure is initiated by the family members abroad, who are the applicants in this procedure, however it may be initiated by a representative in Sweden (the sponsor or someone else) provided they are given a Power of Attorney to do so. Applications are either handed in at a Swedish Embassy or Consulate that provide this service or made through the online application form of the Swedish Migration Agency.⁶⁰⁴

For applications made by family members other than the spouse, partner or child of a BIP, there is currently an application fee of SEK 2,000 / EUR 174.62 per adult and SEK 1,000 / EUR 87.31 per child.⁶⁰⁵

According to the Aliens Ordinance Act, Chapter 4, Section 21 a, an application for family reunification shall, unless there are any particular reasons, be decided on within 9 months. According to the Administrative Procedure Act, Section 12, an applicant may in all applications to authorities at first instance request a decision if more than six months has passed since the application. The Swedish Migration Agency must then within four weeks either decide on the case or take a separate decision to reject the request. A decision to reject such a request may be appealed to the Migration Court.

In 2025, the average waiting time from making the application until the reception of a decision was 372 days for first time applications, and 170 days for subsequent applications.⁶⁰⁶

In 2025, a total of 49,919 applications for residence permits based on family ties were lodged (of which 21,439 were first time applications). The Swedish Migration Agency issued a total of 59,999 decisions (of which 29,553 were first time applications). 55 % of the first-time applications and 93 % of subsequent applications were approved. By the end of the year 2025 , a total of 28,017 family reunification

⁶⁰² ECtHR, First Section, *Okubamichael Debru v. Sweden* (App. No. 49755/18), of 25 July 2024.

⁶⁰³ Promemoria med kompletterande förslag till SOU 2025:95, available [here](#).

⁶⁰⁴ Migration Agency, 'Make an online application', available [here](#).

⁶⁰⁵ Utlänningsförordningen/Aliens Ordinance Act Chapter 8 Section 5.

⁶⁰⁶ Swedish Migration Agency, Monthly statistical report December 2025.

applications were pending (of which 17,737 first time applications). Across all instances, 1,049 residence permits were granted in first time application cases of family reunification where the person in Sweden was a former asylum seeker.⁶⁰⁷

In case of a negative decision, applicants may submit an appeal before the Migration Court within three weeks of receiving the decision from the Swedish Migration Agency.⁶⁰⁸ There is no general right to be assigned a legal representative.

2. Status and rights of family members

Family members are given a residence permit for reasons of family reunification. The residence permit card will generally be handed to the family member at the Embassy or Consulate where the interview took place. The length of the permit is two years, or if the reference person has a shorter temporary permit, the family member will get a permit for the same duration. The permit may also not be longer than the validity of the family members passport. The residence permit entails the right to work in Sweden, and the family members will access social benefits, and the same introduction program as beneficiaries of protection. When in Sweden, family members can apply for status as a refugee or person eligible for subsidiary protection, following the same procedure as an asylum seeker.

For family members of refugees, there is the possibility to obtain a subsidy to cover travel costs to Sweden.⁶⁰⁹ In 2025 the Swedish Migration Agency granted applications for subsidies for 27 individuals.⁶¹⁰ For family members of persons with subsidiary protection, during 2025 the Swedish Red Cross was able to assist 47 individuals to reunite in Sweden.⁶¹¹

C. Movement and mobility

1. Freedom of movement

Persons with a residence permit have freedom of movement across the territory.

2. Travel documents

The regulations covering travel documents are contained in Chapter 2 of the Aliens Ordinance Act (2006:97), supplemented by rules issued by the Migration Agency.

The travel documents issued to **refugees** are valid for all countries except for their home country. Palestinian refugees under UNRWA protection are granted Refugee Convention travel documents. A total of 17,441 travel documents were issued in 2025.⁶¹²

Persons granted **subsidiary protection** can under certain circumstances be granted an alien's passport. If they possess a valid national passport, they are allowed to keep it but if they are unable to acquire or renew a national passport they can apply for an alien's passport. Similar to the travel documents issued to refugees, an alien's passport issued to a person granted subsidiary protection will be valid for all countries but the country the person has fled from. In 2024, a total of 10,712 Aliens passports were issued.⁶¹³

⁶⁰⁷ Swedish Migration Agency, 'Monthly statistical report December 2025.

⁶⁰⁸ Aliens Act Chapter 14 section 3.

⁶⁰⁹ Förordning (1984:936) om bidrag till flyktingar för kostnader för anhörigas resor till Sverige.

⁶¹⁰ Information provided by Migration Agency via e-mail in January 2025.

⁶¹¹ Information provided by the Swedish Red Cross via email in January 2025.

⁶¹² Information provided by Migration Agency via e-mail in January 2025.

⁶¹³ Information provided by Migration Agency via e-mail in January 2025.

Both travel documents and Aliens' passports can include information that the identity of the holder has not been fully established. If the beneficiary has been unable to fully substantiate their identity, then the refugee travel document or Alien's passport is stamped with the phrase "*The holder has not proven his/her identity*". This means that there can be difficulties travelling between EU countries and even greater difficulties visiting other countries.

The travel documents are normally issued for at most two years (Refugee Convention travel documents) or three years (Aliens passport). The travel documents cannot be extended. Unless the person is granted Swedish citizenship in the meantime (see: [Naturalisation](#)) they will have to apply for a new travel document after the old one has expired.

Travel document applications are handled by the Swedish Migration Agency.

D. Housing

Indicators: Housing

1. For how long are beneficiaries entitled to stay in reception centres?	2 months ⁶¹⁴
2. Number of beneficiaries staying in reception centres as of 31 December 2025:	660 ⁶¹⁵

Persons obtaining positive decisions can be placed in municipalities by the Migration Agency based on a quota system. This is described as "settlement" (*Bosättning*). A law was passed in 2016 mandating municipalities to receive those granted residence permits after the asylum procedure.⁶¹⁶ This was done to address the situation where many permit holders were forced to wait many months in the Migration Agency's accommodation and thus delayed their integration into Swedish society. The municipalities now have an obligation to offer them housing within two months from being designated by the Migration Agency as a reception municipality.⁶¹⁷ After that period the responsibility for providing support and housing falls on the municipality, including language courses, school, pre-school.⁶¹⁸ This initial responsibility lasts for 2 years while the so-called establishment process is going through. After that period many municipalities revoke the housing contract and individuals are obliged to find their own accommodation. If they fail, they can request social housing as a temporary solution. The responsibility for providing school and pre-school falls on the municipality in accordance with general rules on this subject.

In 2025, a total of 12,220 persons were assigned to be received in municipalities throughout Sweden after receiving a residence permit, including 896 who were resettled, 3,652 who had been staying in reception centres, 6412 who had been residing in accommodation that they had arranged themselves and 630 relatives and 630 "other".⁶¹⁹ The numbers include people from Ukraine being assigned to a municipality.

A total of 660 beneficiaries with residence permits were living in Migration Agency accommodation at the end of 2025, slightly higher than the number of 2024.⁶²⁰

⁶¹⁴ 2 months is the maximum time following the designation of a municipality as a reception municipality by the Migration Agency, Section 10, Förordning (2016:39) om mottagande av vissa nyanlända invandrare för bosättning, available in Swedish [here](#).

⁶¹⁵ Migration Agency, *Monthly statistical report December 2025*, including year-end numbers, 29. The report shows number as of 6 January 2026, not 31 December 2025.

⁶¹⁶ Lag (2016:38) om mottagande av vissa nyanlända invandrare för bosättning, available [here](#).

⁶¹⁷ Section 10, Förordning (2016:39) om mottagande av vissa nyanlända invandrare för bosättning, available in Swedish [here](#).

⁶¹⁸ Migration Agency, 'Bosättning i en kommun', available in Swedish [here](#).

⁶¹⁹ Migration Agency, *Monthly statistical report December 2023, including year-end numbers*, 31.

⁶²⁰ Migration Agency, *Monthly statistical report December 2024, including year-end numbers*, 29, and *Monthly statistical report December 2023*, 29.

Those granted permits can also find their own accommodation. Should they refuse an offer from a municipality through the Migration Agency, they will no longer receive support or accommodation from the Migration Agency.⁶²¹

Swedish municipalities are obliged by law to provide housing for persons granted protection or the right to stay on other grounds. This obligation lasts for two years only and after that there is no guaranteed housing and persons can be evicted. A court decision has confirmed that this is a correct interpretation of the law.⁶²² This leads to greater insecurity in the integration process and if no other housing is available locally the refugees might have to move to another town.

E. Employment and education

1. Access to the labour market

When a person is granted a residence permit, they are entitled to an “Introduction Plan” to plan their education and professional development and provide for language training, courses on Swedish society, vocational training and work experience.⁶²³ The Public Employment Service (*Arbetsförmedlingen*) has the responsibility for these persons between 20 and 67.⁶²⁴ A person is entitled to be in the program until he or she finds an employment, is on parental leave or on sick leave for more than a month. The maximum time period in the program is 24 months during a period of 36 months.⁶²⁵ In December 2025, a total of 10,385 persons were attending the Public Employment Service (*Arbetsförmedlingen*) “etableringsprogram”.⁶²⁶

Since 1 January 2018, a person who has recently been granted a residence permit and is under the responsibility of the Public Employment Service has to take part in any education that the Public Employment Service assess as necessary for the person to be able to access the labour market. Should the person not take part in the designated education, they can be warned or lose their “introduction benefit”.⁶²⁷

In November 2025, the general unemployment rate was 5.5%.⁶²⁸ However, when it comes to individuals born abroad, it is higher. Among individuals born abroad, the unemployment rate in November 2025 was 12.2%⁶²⁹, compared 16.2% for 2024.⁶³⁰

Obstacles to obtaining employment include lack of language skills, complicated process for validation of diplomas, lack of low-skill job opportunities and host society attitudes.⁶³¹

The Swedish Council for Higher Education evaluates foreign secondary education, post-secondary vocational education and academic higher education certificates.⁶³²

⁶²¹ Section 11 Lag (2016:38) om mottagande av vissa nyanlända invandrare för bosättning, available [here](#).
⁶²² Sabo, ‘Ny dom ger kommun rätt att säga upp nyanländas hyreskontrakt’, 5 April 2018, available in Swedish [here](#).

⁶²³ Swedish Public Employment Service, ‘Etableringsprogrammet’, available in Swedish [here](#).

⁶²⁴ Lag (2017:584) om ansvar för etableringsinsatser för vissa nyanlända invandrare, available in Swedish [here](#).

⁶²⁵ Swedish Public Employment Service, ‘Etableringsprogrammet’, available [here](#).

⁶²⁶ Swedish Public Employment Service, ‘Statistik om insatser och program’, available [here](#).

⁶²⁷ Swedish Public Employment Service, ‘När du deltar i ett program’, available [here](#).

⁶²⁸ SCB, The Statistics Authority, ‘Fortsatt ökning av antalet sysselsatta i november 2025’, available in Swedish [here](#).

⁶²⁹ SCB, The Statistics Authority, ‘Fortsatt ökning av antalet sysselsatta i november 2025’, available in Swedish [here](#).

⁶³⁰ SCB, The Statistics Authority, ‘Försämrad arbetsmarknad under 2024’, April 2025, available in Swedish [here](#).

⁶³¹ IFAU, ‘Utrikes föddas etablering på arbetsmarknaden’, updated 19 November 2022, available in Swedish [here](#).

⁶³² Swedish Council for Higher Education, ‘Recognition of foreign qualifications’, available [here](#).

According to EUAA, the Swedish Institute for Evaluation of Labour Market and Education Policy researched the impact of the length of the asylum procedure on integration and found that beneficiaries who had to wait longer for their final decision had lower earnings.⁶³³ The Swedish Public Employment Service also published a report showing an important increase in the number of unemployed people who lack upper secondary-level education, with the majority of them being female beneficiaries of international protection. The report argues to establish more efforts to identify and eliminate obstacles for these women to enter the labour market.⁶³⁴

2. Access to education

Beneficiaries of international protection, including youth out-of-school and pre-school, have the right to full access to education at all levels.⁶³⁵ There are requirements regarding proficiency in Swedish and English for higher education studies and other more specific requirements regarding proficiency in other subjects relevant to the course of studies. Fulfilling these requirements can take time and therefore add to the time it takes to obtain full qualifications.

There is financial support for higher education. Higher education is financed by student loans with partial grants. A person with a degree or qualifications from another country can, free of charge, apply for an evaluation and recognition of qualifications by the Swedish Council for Higher Education in order to provide support for finding work, or enable their continued studies in Sweden.⁶³⁶ Some universities offer fast track courses for those already possessing higher education degrees.⁶³⁷

F. Social welfare

Refugees and subsidiary protection beneficiaries have the same rights regarding social welfare under the same conditions as nationals. There is a special remuneration system for able-bodied successful asylum seekers between 18 and 64 for the first two years, called the “introduction benefit”.⁶³⁸ The Swedish Public Employment Service, County Administrative Board and the municipalities have a shared responsibility for different parts of this introduction, such as programs to help the beneficiary to get a job, “society-introduction” and so on. If after that they are unable to support themselves, they have access to social welfare on the same basis as nationals. Social welfare is administered by the Swedish National Insurance Board and the Municipal Welfare Board.⁶³⁹

It is the municipality where a beneficiary is registered as resident that has the responsibility to provide support. This can mean that if a family resides in one place and the father moves to another town to find work and fails, then he will not receive support from the municipality he moved to but will be referred back to the initial municipality.

To be granted full social welfare from the municipalities, the general principle is that you must be registered in the Swedish Population Register, managed by the Swedish Tax Agency.⁶⁴⁰ In practice, it can take time to get registered by the Swedish Tax Agency in the Swedish Population Register. Such delay of registration in the Swedish Population Register may have a temporary impact on beneficiaries’ access to social welfare since a prerequisite for the right to social welfare is such registration. Even

⁶³³ EUAA, Annual Asylum Report 2023, July 2023, page 268, available [here](#).

⁶³⁴ EUAA, Annual Asylum Report 2023, July 2023, page 273, available [here](#).

⁶³⁵ Centrala studiestödsnämnden, *Refugee – support from CSN*, available [here](#).

⁶³⁶ Swedish Council for Higher Education, available [here](#).

⁶³⁷ See e.g., Akademikerförbuden SSR, *Snabbspår*, available in Swedish [here](#).

⁶³⁸ Lag (2010:197) om etableringsinsatser för vissa nyanlända invandrare.

⁶³⁹ Socialtjänstlag (2001:453) Svensk författningssamling. See also Socialstyrelsen, *Social assistance*, available [here](#).

⁶⁴⁰ Socialtjänstlagen (2001:453) Chapter 2 a, Section 2-3.

though, the municipalities may handle such a situation differently and sometimes grant social welfare without such registration.⁶⁴¹

The government is proposing a big reform regarding social welfare. The reform consists of a “cap” on benefits, meaning that families with many children will not get as much social welfare as under current rules, which, according to the government, would make it more profitable to work than to rely on benefits. The form includes also a qualification requirement for certain social benefits for people who settle in Sweden: five years residency will be required, and a requirement for recipients of social assistance to be active in trying to find work.⁶⁴² The changes will enter into force 1 June 2026 and 1 December 2027, respectively.

G. Health care

Persons with a residence permit have the same access to health care as any person living in Sweden. Information about health care can be found in different languages on the website www.informationsverige.se. Health care access differs from county to county or region to region.

Persons who are victims of torture and in need of rehabilitation do not always get prompt help and the queue for treatment, which is often lengthy, is on the increase.⁶⁴³ The county health authorities are the main providers of health care but the Swedish Red Cross also has a number of rehabilitation centres and extensive experience of treating victims of torture.

Currently, a person has the right to a publicly financed interpreter when in contact with the health care.⁶⁴⁴ The new Swedish government has proposed that Swedish citizens and persons with a residence permit should pay for an interpreter themselves. Critics point out this risk leading to situations where the health staff cannot fulfil their obligations to give the right health care needed.⁶⁴⁵

⁶⁴¹ Socialstyrelsen, ‘Ekonomiskt bistånd Handbok för socialtjänsten’, 2021, available in Swedish [here](#).

⁶⁴² The Swedish Government, ‘En reform för att bryta bidragsberoendet och stärka Sverige’, available [here](#).

⁶⁴³ Swedish Red Cross, ‘Tillgång till vård för tortyröverlevare’, available in Swedish [here](#).

⁶⁴⁴ Patientlagen (2014:821) Chapter 3 Section 6-7.

⁶⁴⁵ STRÖM M., ‘Nya sjukvårdsministern: Att ta bort tolkstöd skulle strida mot flera lagar’, 24 October 2022, available in Swedish [here](#).

EU Pact on Migration and Asylum

In 2025, Sweden conducted preparatory efforts for the implementation of the EU Pact on Migration and Asylum, following its adoption at EU level in 2024 and ahead of its deadline for implementation on 12 June 2026.

After the adoption of the Pact, the Government appointed new Commissions of Inquiry and changed the objectives of already appointed Commissions, in order to align Swedish legislation with the Pact and, when doing so, amending the legislation to what could be seen as the minimum level of guarantees in the EU *acquis*.

In particular, on 21 November 2024, the Government appointed a Commission of Inquiry with the aim to review the need to adapt Swedish legislation in line with the Pact instruments concerning asylum procedures and screening, including mechanisms for monitoring fundamental rights. The objective of the Inquiry was to enable the effective and legally sound implementation of these EU instruments while maintaining a responsible and restrictive regulatory framework aligned with the minimum standards required under EU law. The assignment included assessing necessary legal adjustments, proposing restrictive national rules where Member States had discretion, based on the EU minimum level, and submitting the required legislative proposals.

On 21 November 2024, the Government also changed the objectives of the Commission of Inquiry ongoing since October 2023, that was supposed to propose amendments that would align the legislation with the minimum requirements of EU law in the field of asylum. The Commission was therefore tasked, *inter alia*, with analysing and assessing the need for adjustments to Swedish law in relation to provisions of the Pact on Migration and Asylum concerning legal counselling, legal aid, and representation. It was also tasked with analysing and assessing whether Swedish law should allow for the rejection of an asylum application as inadmissible in a greater number of situations, and whether the Swedish Migration Agency should be authorized to declare applications as manifestly unfounded. It should also submit necessary legislative proposals.⁶⁴⁶

The mentioned Commissions of Inquiry presented its findings in 2025 and 2026. However, already in October 2024 proposals on legislative changes that implement Pact instruments were made. The Commission of Inquiry appointed in 2021 that was overseeing the reception of asylum seekers issued its final report in October 2024, with proposals that were supposed to be aligned with the new recast Reception Conditions Directive (2024/1346) (new rRCD), especially in the parts related to different measures to control the movement of asylum seekers.⁶⁴⁷ The consultative bodies from civil society were negative towards the restrictive approach of the proposals, which means that basically all the control mechanisms available under the new rRCD will be implemented.⁶⁴⁸ Many argued that strict residency and control measures may drive asylum seekers underground, leading to poverty and exploitation, while also placing an undue burden on local municipal services and negatively impacting children's development. Furthermore, legal bodies warned that the cumulative effect of these restrictions could border on an unlawful deprivation of liberty, and the delayed right to work was seen as a major barrier to future integration.

The 2023 Commission of Inquiry, tasked with aligning the asylum procedure and the rights of asylum seekers to the minimum standards of EU law (SOU 2025:31), submitted its first report to the Government in April 2025. The Inquiry proposed that only temporary residence permits should be granted, *inter alia*, to refugees, beneficiaries of subsidiary protection, and to resettled refugees. It also proposed that it should

⁶⁴⁶ The Swedish Government, Amended objectives to the Commission of Inquiry on the Adaptation of the Swedish Legal Framework for the Granting of Asylum and the Asylum Procedure to the Minimum Level Required under EU Law (Ju 2023:18), (Utmönstring av permanent uppehållstillstånd och vissa anpassningar till miniminivån enligt EU:s migrations- och asylpakt) 21 November 2024, available in Swedish [here](#).

⁶⁴⁷ Mottagandelagen, SOU 2024:68, p. 214, available in Swedish [here](#).

⁶⁴⁸ The opinions of the consultative bodies can be found [here](#).

be possible to reject an asylum application as inadmissible in a greater number of cases than is currently allowed. Among other things, the Inquiry suggested that there should be no explicit prohibitions against rejecting an asylum application as inadmissible where a safe third country exists to which the applicant may be transferred, even in cases involving, for example, family ties or other special connections to Sweden. Furthermore, the Inquiry proposed that asylum seekers should be entitled to free legal counselling according to the amended rules of the Asylum Procedure Regulation (2024/1348) through the appointment of publicly funded legal counsel, but with a restriction in time allowing as a general rule one hour counselling for an applicant.⁶⁴⁹

The Inquiry (DS 2025:30) submitted its report to the Government on 24 November 2025. It made several proposals, including revising the terminology and structure of the Swedish asylum procedure and applying the so-called border procedure in a wider range of situations than those strictly required under EU law. It proposed restricting the right to publicly funded legal counsel in cases concerning international protection handled by the Swedish Migration Agency, while assigning responsibility for the new screening procedure to the Swedish Police Authority, the Swedish Migration Agency, and the regions. The Inquiry also proposed lowering the age limit for taking fingerprints and photographs at certain stages of the migration process to six years. Regarding the “safe third country” concept, the Inquiry published proposals that Sweden, in accordance with Article 64(1) of the APR, should be entitled to designate safe third countries and safe countries of origin at national level, in addition to those designated at EU level. Consequently, the existing authorisation to establish a national list of safe countries of origin should be retained and extended to also cover safe third countries. It is further proposed that an explanatory reference to the provisions on the designation of such countries contained in the APR be incorporated into the Aliens Act.

The Inquiry (Ds 2025:30) submitted its report to the Government on 24 November 2025,⁶⁵⁰ and consultation bodies were given until 7 January 2026 to analyse and comment on its contents. This represented an unusually short consultation period for legislation of such scope and was criticised, among others, by the Swedish Human Rights Institute, who stated that it considered several of the proposals presented in the inquiry to constitute general and serious restrictions on the rule of law and on human rights.⁶⁵¹ Many civil society consultation bodies from criticised the restrictive approach, which was based on the Government’s ambition to align Swedish legislation on asylum with the minimum standards of the EU *acquis*, reflected in the proposals to channel asylum seekers to the asylum border procedure not only when mandatory, but whenever possible. In their statements, the Courts commented that the proposed changes in the procedure, making international protection ground for the application instead of the residence permit, would make the procedural framework unclear. Within the Swedish system, several grounds for a residence permit could previously be examined within the framework of a single, overarching application for a residence permit, whereas the shift towards examining international protection separately entails that the system governing the scope of examination must be altered.

The JO argued that it being tasked with being the independent monitoring mechanism as required by the SR and the APR would conflict with the institutional independence of the JO and its current role. The Migration Agency stated that problems would follow the fact that the legislation implementing the new rRCD would enter into force only on the 1 October 2026, leaving the Swedish Migration Agency, for four months, without the legal basis for implementing the requirements of Article 54 of the APR, to ensure that applicants in the asylum border procedure stay at or in proximity of the border.

On 23 March 2026, the Government submitted its draft bill concerning the implementation of the Pact to the Council of Legislation (Lagrådet) for revision.⁶⁵² The bill includes both proposals made in SOU 2025:31 and DS 2025:30. In the bill the Government is reflecting on the opinions of the consultative

⁶⁴⁹ Utmönstring av permanent uppehållstillstånd och vissa anpassningar till miniminivån enligt EU:s migrations- och asylopakt, SOU 2025:31, available [here](#).

⁶⁵⁰ Migrations- och asylopakten, volym 2, Ds 2025:30, available [here](#).

⁶⁵¹ The opinion of the Human Rights Institute and of other consultation bodies on Ds 2025:30 can be found [here](#).

⁶⁵² The bill was published on the Government’s webpage on the 6 April 2026, see [here](#), but sent for revision by the Council of Legislation (Lagrådet) already on the 23 March 2026, see [here](#).

bodies. In general, the Government did not share the worries of the civil society that the restrictive approach of the legislation could conflict with fundamental rights. The bill essentially carries forward the proposals from these two inquiries, but certain adjustments are made. For example, as a general rule, asylum seekers will be entitled to two hours of legal counselling instead of one. Other issues are not addressed, despite the criticism raised by consultation bodies, including the need for clarification of the procedural framework, the independent monitoring mechanism and the lack of legal basis for ensuring that the requirements of Article 54 of the APR are met until 1 October 2026, when the legislation implementing the new rRCD enter into force. The legislative package is intended to enter into force in alignment with the Pact's applicability in June 2026. Overall, the general response from the consultation bodies indicates that the proposed legislative changes could have significant consequences for asylum seekers. In particular, there appears to be limited analysis of the potential impact from the perspective of the applicants themselves. Certain changes may substantially restrict procedural rights and create challenges in ensuring full compliance with Sweden's international obligations. While the proposals aim to implement the Pact efficiently, they raise concerns regarding the protection of individual human rights and the adequacy of safeguards within the proposed legislative framework.

On 2 April 2026, the Swedish government addressed the concerns raised by consultative bodies contending that the combination of movement restrictions and presence checks do not constitute an unlawful deprivation of liberty due to the lack of physical barriers and the large size of assigned counties. According to the Government, the new act, in order to safeguard human dignity and mitigate humanitarian risks, guarantees that basic needs like food and clothing are provided *in natura* even if cash benefits are reduced, provided the individual remains in assigned housing. The government further maintains that state-managed centres offer a more stable environment for children than unmonitored private housing, asserting that the best interest of the child will be a primary factor in all individual decisions, and that municipal burdens will be alleviated through expanded state compensation and clearer legal divisions of responsibility. Finally, the Government has argued that the six-month wait for labour market access is a necessary alignment with EU minimum standards and is proportionate given the goal of achieving faster asylum processing times.⁶⁵³

On 6 May 2026, the Government submitted its final legislative bill concerning the implementation of the Pact. The bill includes, inter alia, provisions on screening procedures at the external border, the introduction of border procedures in asylum cases, amendments related to the new Eurodac system, and mechanisms for monitoring fundamental rights during screening and border procedures. The legislative amendments are proposed to enter into force, for the most part, on 12 July 2026, i.e. one month after the Pact becomes applicable. It nevertheless remains unclear how the authorities will handle cases during the interim period between 12 June 2026 and 12 July 2026.

⁶⁵³ Proposition 2025/26:229, En ny mottagandelag, available [here](#).

ANNEX I – Transposition of the CEAS in national legislation

Directives and other instruments transposed into national legislation

Directive	Deadline for transposition	Date of transposition	Official title of corresponding act	Web Link
Directive 2011/95/EU Recast Qualification Directive	21 December 2013	26 November 2014	Law (2013/14: SfU20) amending the Aliens Act	http://bit.ly/2m9WuTs (SE)
Directive 2013/32/EU Recast Asylum Procedures Directive	20 July 2015 Article 31(3)-(5) to be transposed by 20 July 2018	16 December 2016	Law (2016:1243) amending the Aliens Act	http://bit.ly/2kP9vkz (SE)
Directive 2013/33/EU Recast Reception Conditions Directive	20 July 2015	-	No transposition, as the Swedish reception system is deemed in line with recast standards	
Regulation (EU) No 604/2013 Dublin III Regulation	Directly applicable 20 July 2013	17 June 2014 1 July 2017 (Article 27.3 (c))	Law (2013/14: SfU20) amending the Aliens Act due to the entry into force revised Dublin Regulation Law (2017:523) amending the Aliens Act	http://bit.ly/2m9WuTs (SE) https://svenskorfattningssamling.se/doc/2019487.html (SE)