

# THE RIGHTS OF MIGRANTS AND ASYLUM SEEKERS IN SWEDEN

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Sweden received several recommendations in the previous Universal Periodic Review regarding the need to strengthen procedural guarantees in the asylum process and ensure the access of international protection and non-refoulement, especially regarding unaccompanied minors. Yet, the Government has not addressed these concerns but instead proposed new legislation which further undermines the protection of asylum seekers.

On April 1st, 2025, a new law will come into effect, establishing that the statutory limitation period for an expulsion decision begins on the day the migrant leaves the country, rather than the date when the decision is issued. This change will impact the many refugees who aren't able to return to the countries they are expelled to, as those countries refuse to accept them. Consequently, this law significantly hinders the ability of migrants to legalise their stay in Sweden. The legislation will particularly affect stateless and underage migrants, increasing the risk of forced returns that could violate the principles of non-refoulement, the right to private and family life and the best interest of the child.

Additionally, in December 2023, stricter requirements for family reunification were enforced. The previous exemption from the financial maintenance requirement has been narrowed for refugees and beneficiaries of subsidiary protection, making it significantly more difficult for families to reunite. The new law also imposes stricter conditions for children seeking residence permits on humanitarian grounds.

In November 2024, a legislative proposal referred to as the "snitch-law" was introduced, requiring certain municipalities and public authorities to report any migrant suspected of being in an irregular situation to the immigration authorities. This obligation is likely to damage the trust between migrants and the public authorities that provide access to fundamental human rights. Both children and parents who are living in hiding from immigration authorities due to the fear of deportation may be reluctant to seek healthcare or enrol in educational programs, owing to the real or perceived risk of being reported. This would effectively restrict their access to, and ability to exercise, their economic, social and cultural rights, as well as lead to violations of the right to personal integrity and private life due to the collection and usage of personal data. The Government has also expressed a will to limit access to publicly funded interpreters, which would undermine migrants' equal access to basic human rights such as health care, fair legal proceedings, and the right to information. It should also be noted that regional efforts to introduce interpretation fees in health care were made in 2024.



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## Recommendation

- Take measures to ensure full protection against refoulement and strengthen the procedural guarantees for accessing international protection, by guaranteeing equal access to legal assistance, interpretation and the right of appeal in asylum and immigration procedures.
- Strengthen the protection of the right to family reunification and humanitarian protection by ensuring that all Swedish immigration regulation is in full conformity with fundamental rights instruments, such as the Convention on the Rights of the Child.
- Refrain from adopting legislation which would impede the equal access for migrants to services essential for the realisation of their human rights, including health care, education, and access to justice.



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