

Input by civil society organisations to the Asylum Report 2026

Fields marked with * are mandatory.

Dear Colleagues,

The production of the Asylum Report 2026 is currently underway. The annual [Asylum Report](#) presents an overview of developments in the field of international protection in Europe.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, researchers and UNHCR. To this end, we invite you, our partners from civil society, academia and research institutions, to share your reporting on developments in asylum law, policies or practices in 2025 by topic as presented in the online survey (**'Part A' of the form**).

We also invite you to share with us any publications your organisation has produced throughout 2025 on issues related to asylum in EU+ countries (**'Part B' of the form**). These may be reports, articles, recommendations to national authorities or EU institutions, open letters and analytical outputs. Your input can cover information for a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain.

All submissions are publicly accessible. For transparency, contributions will be published on the EUAA webpage and contributing organisations will be listed under the [Acknowledgements](#) of the report.

All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases, position papers. Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

NB: Similarly to last year, this year's edition of the Asylum Report will be leaner and more analytical, with streamlined thematic sections. The focus will be on key trends in the field of asylum rather than on individual developments. For this reason, information shared by respondents to this call may be incorporated in the Asylum Report in a format different than in the past years. It will also feature prominently as info boxes in the [country overviews](#).

Your input matters to us and will be much appreciated!

Please submit your contribution to the Asylum Report 2026 by Friday, 9 January 2026.

Contact details

* Name of organisation

RFSL Ungdom - Queer Youth Sweden

Name and title of contact person

Alexandra Politidis Palm, Policy Advisor

* Email

alexandra@rfslungdom.se

I accept the provisions of the EUAA [Legal and Privacy Statements](#)

General observations

Before sharing information by thematic area, please provide your general observations on asylum developments as indicated in the following three fields:

What areas would you highlight where important developments took place in the country/countries you cover?

One notable development in Sweden concerns the extremely limited timeframe set for submitting feedback on the government inquiry's proposals regarding the implementation of the Pact, which was established from 24 November 2025 to 7 January 2026. This compressed period raises serious concerns regarding fundamental principles of legal certainty and the integrity of democratic procedures.

The consultation process is intended to allow for careful review and informed analysis of legislative proposals, which requires reasonable deadlines. When timeframes are excessively short, the ability of stakeholders to provide comprehensive, well-considered input is significantly diminished. This, in turn, risks reducing the overall quality of the legislative process and limits the capacity of experts to contribute their knowledge effectively, ultimately resulting in weaker legislation and poorer outcomes for the public.

Sweden is undergoing severe reforms in the areas of access to legal representation, identification of vulnerable asylum seekers, procedural safeguards for sensitive cases, and legislative consultation processes. While these changes demonstrate an effort to align national practices with the Pact on Migration and Asylum, they also reveal substantial risks to fairness, rights protection, and compliance with international obligations.

Based on the analysis of the Swedish Government Inquiries on the implementation of the Pact on Migration and Asylum (DS 2025:30 and SOU 2025:31), several areas stand out where important developments are taking place in Sweden.

Significant developments are occurring regarding access to legal representation for asylum seekers. The proposals to limit continuous legal assistance to a single hour of consultation, and to restrict publicly appointed legal representatives in appeal processes to cases with "reasonable prospects of success," represent a fundamental shift in procedural safeguards. These changes are particularly consequential for vulnerable groups, including LGBTQI individuals, children, and unaccompanied minors, as they risk undermining the proper presentation of evidence, and adherence to national and EU legal obligations.

The inquiry's designation of the Police Authority and the Swedish Migration Agency as key screening bodies highlights ongoing developments in vulnerability assessments. However, the lack of clear guidance on operationalising EUAA standards, and the limited role foreseen for civil society in screening and quality assurance, signal potential gaps in identifying applicants with specific needs and vulnerabilities, including SOGIESC. The role of civil society as a complementary safeguard not sufficiently recognized.

Developments are also notable in the recognition of procedural risks for particularly sensitive cases, such as those involving LGBTQI applicants, especially children and youth. The inquiry does not recognize the potential gaps in continuous assessment of special reception needs, including during detention, as well as risks arising from accelerated or border procedures. The proposals does not reflect growing attention to vulnerable groups stipulated in the Pact, they also reveal the potential erosion of legal safeguards if proposals are implemented without adjustments to ensure effective support and monitoring.

Another area of reform concerns the broader legislative and procedural framework, including the role of remiss (consultation) processes. Timeframes for providing feedback on legislative proposals have been set very short (24 November 2025 – 7 January 2026), exemplifying an evolving debate on how democratic procedures and expert input are incorporated in legislative preparation. This has implications for the quality of law-making and the ability to fully evaluate the impact of reforms.

What are the areas, where only few or no developments took place?

The Swedish Migration Agency continues to apply the “detail” and “consistency” criteria when assessing SOGIESC-related asylum claims. However, recent research indicates that internal processes, such as feelings and emotions, are inherently unverifiable. The “detail” and “consistency” criteria were originally designed to evaluate events that have occurred in the physical world and can be objectively corroborated, not to assess the credibility of subjective internal experiences. Despite this, the Swedish Migration Agency continues to rely on these criteria to evaluate applicants’ internal experiences.

References:

Wimark, T. (2025). Decoding Sexual Orientation in Refugee Status Determination : The Influence of Accounts of Emotions on Decision-Making in Sweden. *International Migration*, 63(5). <https://doi.org/10.1111/imig.70101>

Wimark, T. (2025). The Limits of Refugee Status Determination Through Credibility Assessment : Empirical Evidence from Sexual Orientation Asylum Cases. *The International Migration Review*. Epub ahead of print. <https://doi.org/10.1177/01979183251360677>

Would you have any observations to share specifically about the implementation of the Pact on Migration and Asylum in the national context of the country/ countries you cover?

Based on RFSL Ungdom’s analysis of the Swedish Government Inquiries on the implementation of the Pact on Migration and Asylum (DS 2025:30, Vols. 1–2, and SOU 2025:31), we identify several significant risks in the proposed national implementation.

Overall, the proposals risk weakening procedural safeguards, disproportionately affecting vulnerable groups—particularly LGBTQI individuals, children, and unaccompanied minors—and may conflict with EU law and international obligations, including the principle of non-refoulement and the UN Convention on the Rights of the Child.

The proposed implementation of the Screening Regulation raises serious concerns regarding the identification of vulnerable applicants. While both the Police Authority and the Swedish Migration Agency are designated as screening authorities, the inquiry provides insufficient guidance on how vulnerability assessments under Article 12(3) should be conducted in practice. There is no clarification of what constitutes “specialised personnel” or how EUAA guidance is to be operationalised nationally.

Notably, the inquiry fails to reference EUAA guidance such as the Practical Guide on Applicants with Diverse SOGIESC. This omission risks systematic under-identification of SOGIESC-related vulnerabilities at an early stage.

Assigning uniformed police a central role in screening further increases this risk. Many asylum seekers, including LGBTQI applicants, have experienced persecution by police or military actors and may therefore be reluctant to disclose sensitive information, leading to inappropriate placement in border or accelerated procedures.

Although Article 12(3) allows for NGO involvement, the inquiry does not outline how such cooperation could be structured. Civil society organisations possess essential expertise and trust-based access to vulnerable groups. Their role should function as a complementary safeguard through consultation, training, monitoring, or oversight, without exercising public authority.

The inquiry assumes that assessments of special reception needs under Article 25 of the recast Reception Conditions Directive are already sufficiently integrated into Swedish law. RFSL Ungdom strongly disagrees. Vulnerabilities cannot reliably be identified through a single, short screening. Many, including SOGIESC-related vulnerabilities, emerge only after trust has been established.

Swedish legislation should therefore explicitly require specific assessments of reception and procedural needs within 30 days, as required by the APR and RCD, alongside continuous ex officio assessments throughout the procedure. This assessment should be separate from the primary vulnerability assessment.

Regarding detention, Article 13(1) RCD introduces strengthened protections for applicants with special

reception needs. The inquiry's reliance on general proportionality principles risks undermining these safeguards. Without explicit provisions, consistent application—particularly for LGBTQI applicants—is unlikely. The proposal to apply border procedures in all legally permissible cases, rather than limiting their use to mandatory situations, is disproportionate. LGBTQI applicants are at heightened risk of being channelled into such procedures due to delayed disclosure or credibility assessments, exacerbating procedural harm. While the inquiry considers the Parliamentary Ombudsman (JO) sufficient as a monitoring mechanism, it fails to explain how multidisciplinary expertise (e.g. medical, psychological, child protection, SOGIESC competence) will be ensured, contrary to FRA recommendations.

The inquiry also underestimates the negative impact of large-scale collective accommodation on vulnerable groups, particularly LGBTQI children and youth, and overestimates civil society's capacity to compensate for reduced public safeguards.

The proposal to limit free legal consultation to one hour constitutes a severe reduction in procedural safeguards. Continuous legal representation is essential, especially in complex and sensitive cases involving sexual orientation, gender identity, or children's rights.

Limiting legal assistance risks incomplete investigations, higher appeal rates, and increased violations of non-refoulement. Guardians or "god man" cannot substitute for qualified legal counsel and lack the expertise required to safeguard children's procedural rights.

The proposal to restrict legal assistance on appeal to cases deemed to have "reasonable prospects of success," combined with the prohibition on appealing denials of legal representation, is deeply problematic. These measures risk perpetuating errors, undermining access to justice, and conflicting with the Asylum Procedures Regulation and Article 47 of the EU Charter of Fundamental Rights.

PART A: Contributions by topic

Please share your reporting on developments in asylum law, policies or practices in 2025 by topic.

Kindly make sure that you provide information on:

- New developments and improvements in 2025 and new or remaining challenges;
- Changes in legislation, policies or practices, or institutional changes during 2025.

1. Access to territory and access to the asylum procedure (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

The Swedish screening framework raises concerns regarding compliance with the principle of non-refoulement and the effective identification of vulnerabilities, especially for applicants with SOGIESC-related protection needs. The limited guidance on vulnerability assessments and the central role assigned to border and police authorities risk undermining access to the asylum procedure for individuals who are unable or unwilling to disclose sensitive information at the point of arrival.

2. Access to information and legal assistance (including counselling and representation)

Significant developments occurred in 2025 through proposed legislative reforms that would heavily reduce access to free legal counselling for asylum seekers. In particular, access to legal assistance is proposed to be limited to a single hour of free legal advice during the asylum procedure. This represents a major departure from previous safeguards and risks impairing asylum seekers' ability to understand the procedure, present their claims effectively, and exercise their right to an effective remedy. These changes disproportionately affect vulnerable groups, including LGBTQI applicants, children, and young people, for whom legal assistance is often essential to ensure safe disclosure and procedural fairness.

3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

Proposed legislative changes in 2025 significantly expand the scope for applying border procedures in Sweden. The inquiry suggests that border procedures should be applied in all situations where they are legally permissible, rather than restricting their use to strictly necessary cases. This approach raises concerns regarding proportionality and risks exposing vulnerable applicants to accelerated procedures that do not allow sufficient time or safeguards to assess complex asylum claims. LGBTQI applicants, in particular, risk being channelled into border or accelerated procedures due to delayed disclosure or credibility assessments that fail to account for the specific nature of SOGIESC-related claims.

6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

Proposed changes in legislation concerning reception conditions raise concerns about the identification and protection of applicants with special reception needs under the recast Reception Conditions Directive. The Government Inquiry concludes that Article 25 assessments are already integrated into Swedish law and do not require amendments, as they can be combined with Article 20 of the Asylum Procedures Regulation and preliminary screening under Article 12(3). RFSL Ungdom disagrees, noting that many vulnerabilities—especially SOGIESC-related—are not identifiable at a single, time-constrained screening and often require trust-building. The lack of explicit legal requirements for renewed and ongoing assessments risks placing vulnerable applicants in inappropriate reception conditions or accelerated procedures. Legislation should require an additional formal assessment by the Swedish Migration Agency within 30 days of the asylum application, while maintaining continuous ex officio assessments. Article 13(1), which prohibits detention that poses serious health risks and requires regular monitoring and support, has not been explicitly implemented. Relying on general proportionality principles is insufficient and may lead to inconsistent protection, particularly for LGBTQI applicants and those with multiple vulnerabilities.

7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

The inquiry considers existing general principles sufficient to meet new EU-level safeguards, without explicitly transposing strengthened protections for applicants with special reception needs. This approach risks weakening protections for individuals whose physical or mental health could be seriously harmed by detention, particularly LGBTQI applicants and children. The absence of explicit legal provisions on monitoring and tailored support constitutes a remaining challenge.

8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)

Proposed legislative reforms in 2025 introduce significant changes to first-instance asylum procedures, particularly through reduced access to legal counsel. These changes affect interviews, evidence assessment, and the presentation of asylum grounds, increasing the risk that relevant claims are not fully examined. For cases involving SOGIESC-related asylum grounds, where credibility assessments often focus on internal experiences rather than verifiable events, limited legal assistance exacerbates existing procedural shortcomings and undermines legal certainty.

9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management -including backlog management)

Developments in 2025 include proposals to restrict access to publicly appointed legal representatives in appeal procedures to cases deemed to have “reasonable prospects of success.” This assessment is to be made prior to a substantive review of the appeal and without the possibility to appeal a decision denying legal assistance. These changes risk entrenching errors made at first instance and disproportionately affect applicants with

complex claims, including LGBTQI individuals and children, whose cases often require careful legal argumentation to be properly assessed.

10. Issues of statelessness in the context of asylum (including identification and registration)

11. Children and applicants with special needs (special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

Proposed legislative changes in 2025 significantly affect children and applicants with special needs, particularly through reduced access to legal representation and the absence of explicit obligations to conduct continuous vulnerability assessments. While guardianship arrangements for unaccompanied children remain in place, these cannot replace qualified legal representation. The reforms risk contravening Sweden's obligations under the UN Convention on the Rights of the Child, especially regarding the best interests of the child and non-discrimination, and may lead to children's individual asylum grounds being overlooked.

12. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

13. Return of former applicants for international protection

14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

15. National jurisprudence on international protection in 2025 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))

16. Other important developments in 2025

An additional important development in 2025 concerns the legislative consultation process itself. The exceptionally short timeframe for submitting comments on the proposed reforms (24 November 2025 – 7 January 2026) has raised concerns about democratic participation, legal certainty, and the quality of law-making. Limited consultation periods restrict the ability of expert organisations and civil society to provide thorough analysis, particularly on reforms with far-reaching consequences for fundamental rights and vulnerable groups.

PART B: Publications

1. If available online, please provide links to relevant publications produced by your organisation in 2025.

2. If not available online, please share your publications with us at: Asylum.Report@euaa.europa.eu or upload your file using the functionality below (max. file size 1MB).

Please upload your file

The maximum file size is 1 MB

3. For publications that due to copyright issues cannot be easily shared, please provide references using the table below.

	Title of publication	Name of author	Publisher/Organisation	Date
1				
2				
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Useful links

[EUAA Asylum Report 2025 \(https://euaa.europa.eu/asylum-report-2025\)](https://euaa.europa.eu/asylum-report-2025)

[Executive Summary -Asylum Report 2025 \(https://euaa.europa.eu/asylum-report-2025-executive-summary\)](https://euaa.europa.eu/asylum-report-2025-executive-summary)

[Sources on Asylum 2025 \(https://euaa.europa.eu/publications/sources-asylum-2025\)](https://euaa.europa.eu/publications/sources-asylum-2025)

[National asylum developments database \(https://euaa.europa.eu/national-asylum-developments-database\)](https://euaa.europa.eu/national-asylum-developments-database)

[International Protection in Europe: a Year in Review \(https://euaa.europa.eu/international-protection-europe-year-review\)](https://euaa.europa.eu/international-protection-europe-year-review)

Background Documents

[Word template to submit input to the 2026 Asylum Report.docx](#)

Contact

[Contact Form](#)