

## UNHCR recommendations to Sweden on strengthening refugee protection in Sweden, Europe and globally

September 2022

This document sets out a number of recommendations which the Representation for the Nordic and Baltic countries of the United Nations High Commissioner for Refugees (UNHCR) has developed with a view to further strengthening refugee protection in Sweden, as well as to Sweden's engagement in European and international fora where issues of refugee protection and asylum are being discussed. The recommendations are addressed to the Swedish Government, parliamentarians and all other relevant institutional actors and stakeholders and aim at contributing to constructive discussions on improvements of the protection and integration systems for refugees at the national, regional and international level.

UNHCR offers these recommendations as the agency entrusted by the UN General Assembly with the mandate to provide international protection to refugees and, together with Governments, seek permanent solutions for refugees.<sup>1</sup> UNHCR is responsible for supervising the application of the 1951 Convention relating to the Status of Refugees – to which Sweden is a party since 1954. UNHCR thus has a direct interest in policy discussions and legislative initiatives in the field of asylum.

### 1. Introduction

Sweden has made outstanding contributions to international refugee protection over the past decades, including through a well-established asylum and reception system, a long-standing commitment to refugee resettlement and comprehensive integration efforts. Within the EU, Sweden is a strong voice for greater solidarity and responsibility sharing and for fair EU asylum policies and practices in line with international standards to ensure that refugees receive the protection they deserve in Europe. Globally, Sweden has placed the protection of the forcibly displaced at the top of the international political agenda and championed the empowerment and protection of displaced women and girls.

UNHCR is grateful for Sweden's long-standing commitment and contribution to upholding international refugee protection, supporting multilateralism and demonstrating humanitarian leadership. Sweden is a very important strategic partner and donor to UNHCR and the largest contributor of un-earmarked funding, which enables UNHCR to address critical humanitarian needs of the most vulnerable refugee populations.

### 2. Strengthening protection and integration policies in Sweden

The Swedish Government, as many other European Governments, has in the past years introduced a series of restrictive measures in the area of asylum and family reunification. While initially introduced in the form of a temporary law in 2016, several of the restrictions were eventually incorporated into the Swedish Aliens Act in 2021. As the number of asylum-seekers had decreased significantly since the adoption of the temporary law, UNHCR had hoped that Sweden would not have found it necessary to permanently incorporate some of the measures intended as temporary into Swedish asylum policy. While UNHCR welcomes the lifting of some of the restrictions when the Aliens Act was amended, UNHCR

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<sup>1</sup> UN General Assembly, UNHCR Statute, 14 December 1950, [www.refworld.org/docid/3ae6b3628.html](http://www.refworld.org/docid/3ae6b3628.html), para. 1.

remains concerned about the introduced restrictions as they present a reduced set of standards and safeguards as compared to the solid legal protection framework which Sweden had developed and administered over decades.<sup>2</sup>

More recently, Sweden has responded in a swift and protection-oriented way to the unprecedented refugee situation arising as a result of the war in Ukraine. Sweden quickly scaled up its reception capacity and started processing a large number of temporary protection applications in connection with the activation of the EU Temporary Protection Directive (TPD).<sup>3</sup> While Sweden's response to people fleeing war in Ukraine has been overwhelmingly positive, UNHCR is concerned that people fleeing Ukraine are not provided the same rights as other refugees in Sweden. A report commissioned by UNHCR highlights that people fleeing Ukraine are only entitled to "healthcare that cannot wait" and only receive a very limited daily financial allowance at the same level as asylum-seekers, which is considerably lower than the support provided to recognized refugees.<sup>4</sup> Hence, UNHCR recommends Sweden to ensure the same level of social support and access to health services to beneficiaries of temporary protection as other refugees in Sweden.

## 2.1. Quality of asylum and reception system

Sweden has a well-established and high-quality asylum and reception system, which guarantees asylum-seekers the right to have their application processed individually in a fair and efficient asylum procedure. The commitment of the Swedish Migration Agency (SMA) to continuously improve capacity and quality of the reception and asylum procedures serves as a good practice in the Nordic region and beyond. UNHCR welcomes SMA's continuous investments in making the asylum procedures fair and efficient, such as quality initiatives and the system of channeling asylum applications in different tracks in line with UNHCR's recommendations.<sup>5</sup>

UNHCR considers that predictable core funding towards the first and second instance asylum procedures, even at times of decreasing numbers of applications, are essential to ensure the overall quality and timeliness of asylum decisions, which may also reduce the number of appeals. This would in turn reduce the cost of reception conditions, thus saving resources and produce more efficient and fairer decisions for asylum-seekers. UNHCR stands ready to continue to provide its support to the SMA and the Migration Courts in their efforts on quality assurance and fulfilling Sweden's international obligations.

UNHCR takes note of the recurring discussion in Sweden with proposals for introducing indicative thresholds and other forms of caps on the number of asylum-seekers to be received annually. UNHCR wishes to underline that, if such a threshold were to lead to the denial of access to territory and to asylum procedures, it would be in violation of Sweden's obligations under the 1951 Convention as well as European refugee law. If the threshold would be used as a trigger for a lowering of agreed standards, then it could undermine European solidarity, and lead to shifting rather than sharing of responsibility for asylum-seekers. It may also be inconsistent with the EU framework for determining responsibility among

<sup>2</sup> UNHCR, Observations on the proposed legislative amendments to the Swedish Aliens Act – Report by the Cross-party Committee of Inquiry on Migration ("En långsiktigt hållbar migrationspolitik Betänkande av Kommittén om den framtida svenska migrationspolitiken"), 7 December 2020 (UNHCR, Observations to the Report by the Cross-party Committee) <https://www.refworld.org/docid/5fe9c7074.html>.

<sup>3</sup> EU, Council of the European Union, 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, 7 August 2001 (EU TPD) <https://www.refworld.org/docid/3ddcee2e4.html>.

<sup>4</sup> Swedish Refugee Law Centre, Activation of the Temporary Protection Directive - Temporary Protection in Sweden ("Massflyktsdirektivet aktiveras- Tillfälligt skydd i Sverige"), 20 June 2022 (Swedish Refugee Law Centre, Activation of the TPD in Sweden) <https://www.unhcr.org/neu/82207-new-report-analyzes-swedens-temporary-protection-for-people-fleeing-ukraine.html>.

<sup>5</sup> UNHCR, Discussion Paper Fair and Fast - Accelerated and Simplified Procedures in the European Union, 25 July 2018, <https://www.refworld.org/docid/5b589eef4.html>.

States for examination of a claim, and for offering equivalent levels of treatment as regards reception conditions.

## 2.2. Reception of children

Sweden has over the years received a large number of unaccompanied and separated children (UASC).<sup>6</sup> UNHCR acknowledges that the reception of UASC, due to their special vulnerabilities, protection needs and rights, presents a number of challenges. Studies have shown that many children do not feel safe on arrival to Sweden and need more tailored information and support in their meetings with authorities responsible for assisting them and determining their status.<sup>7</sup> Concerns have also been identified with respect to a range of child-related measures, including the guardianship system, registration procedure, family tracing, access to services and age assessments. The research also shows that the principle of the best interests of the child is not always treated as a primary consideration in the asylum procedure affecting children.<sup>8</sup>

As the Convention on the Rights of the Child (CRC) is part of Swedish law since 1 January 2020, there is a strong incentive, in UNHCR's view, to turn the lessons learnt from past experiences into concrete improvements of a reception system that fully takes into account the rights of children, including the principle of the best interests of the child.<sup>9</sup> UNHCR particularly recommends that consideration be given to further exploring the range of pragmatic and principled measures which can be taken to better coordinate and facilitate multi-disciplinary responses to meet children's needs in the reception process, including through a wider establishment and implementation of the "Barnlanda"<sup>10</sup> and "Barnahus"<sup>11</sup> concepts.<sup>12</sup>

In Sweden, asylum-seeking children and children who have been granted temporary protection have the right to education. However, their enrolment in Swedish schools is not compulsory.<sup>13</sup> Apart from the fact that not going to school is not beneficial for the foundational education of children, Sweden's approach is inconsistent with Articles 22 and 28 of the CRC.<sup>14</sup> UNHCR thus recommends that Swedish law be amended so that education becomes compulsory also for asylum-seeking children and children who have been granted temporary protection.

<sup>6</sup> In 2015 alone, Sweden received more than 35,000 UASC. In the first seven months of 2022, 690 UASC had applied for temporary protection in Sweden.

<sup>7</sup> UNHCR, I want to feel Safe: Strengthening child protection in the initial reception of unaccompanied and separated children in Sweden, December 2018 (UNHCR, I want to feel Safe) <https://www.refworld.org/docid/5c07cc0a4.html>.

<sup>8</sup> UNHCR, This Is Who We Are Part 2 – Documentation of the secondary findings from the profiling survey of unaccompanied Afghan children arriving to Sweden in 2015, October 2016, <https://www.refworld.org/docid/581b4bb74.html>. UNHCR, Observations on the draft law proposal "Age Assessment Earlier in the Asylum Procedure" ("Åldersbedömning tidigare i asylprocessen"), 7 June 2017, <https://www.refworld.org/docid/5937a8e14>.

<sup>9</sup> UNHCR, Observations on the Inquiry "Barnkonventionen blir svensk lag" SOU 2016:19, 14 October 2016, <https://www.refworld.org/docid/580a2e904.html>; UNHCR, The Way Forward to Strengthened Policies and Practices for Unaccompanied and Separated Children in Europe, July 2017, <https://www.refworld.org/docid/59633afc4.html>; See also, for example, several reports of the Swedish Ombudsman for Children.

<sup>10</sup> Barnlanda, the arrival center, is a nurturing place where children can be safe, supported and protected. It is a place where they can rest and be informed in a way that they understand, which encourages the making of informed decisions. The venues used for Barnlanda are the group homes for UASC and on-call family homes that exist today..

<sup>11</sup> Barnahus is a process through which formalized best interest assessment and best interest determination procedures are conducted through a multi-disciplinary approach with relevant actors. The process enables the children to voice opinions regarding decisions and procedures that concern them.

<sup>12</sup> UNHCR, I want to feel Safe.

<sup>13</sup> Swedish Refugee Law Centre, Activation of the TPD in Sweden.

<sup>14</sup> Swedish Government, Report of the Inquiry on the Convention on the Rights of the Child, The Convention on the Rights of the Child and Swedish Law ("Barnkonventionen och svensk rätt"), <https://www.regeringen.se/4abd8f/contentassets/3c4668adf3534dbc8ac4a7a9daa6416a/barnkonventionen-och-svensk-ratt-sou-202063-volym-1.pdf>, p. 75.

### 2.3. Family reunification

UNHCR strongly believes that supported and well-managed access to family reunion enables many women and children to safely access protection. Effective and prompt family reunification procedures help discourage communities from using criminal smuggling networks, remove the risk of undertaking dangerous journeys, and ensure more gender equity in terms of access to protection. Family reunion is also a strong element in support of successful integration strategies and programs, as well as an important factor in reducing mental health issues among refugees. Research shows that there is a direct link between family reunification, mental health and successful integration.<sup>15</sup>

In Sweden, in recent years, the right to family reunification, both for refugees and beneficiaries of subsidiary protection, has become severely restricted with numerous legal, practical and financial obstacles. UNHCR regrets that the family reunification mechanism, as a legal pathway, has been curtailed to such a great extent. The current legal framework in Sweden may infringe on human rights, including negating the positive right to family reunification provided for in the EU Directive on Family Reunification.<sup>16</sup> UNHCR appreciates that the amendments to the Swedish Alien's Act in 2021, in comparison with the temporary restrictions, broaden the scope of family members entitled to family reunification as to encompass members outside of the nuclear family under certain circumstances.<sup>17</sup>

However, UNHCR remains concerned about the maintenance requirement for family reunification. If the application for family reunification is not submitted within three months from the date of granting of protections status, strict income and accommodation requirements apply. UNHCR is concerned that these requirements are impossible for many beneficiaries of international protection to meet and do not sufficiently take into account the particular circumstances of persons who have been forced to flee.<sup>18</sup>

Even when the legal and financial conditions for family reunion are met, many families who seek to reunite also face numerous practical obstacles, including difficulties for family members in certain countries to access Swedish consular services and the strict requirements regarding submission of documentation.<sup>19</sup> This raises particular protection risks and challenges for UASC waiting to reunite with their family in Sweden. UNHCR welcomes that the processing times have been reduced, however, is concerned that some families still have to wait for long periods of time. Children specifically have the right to positive, humane and expeditious family reunification procedures.<sup>20</sup>

### 2.4. Duration of protection

While current EU legislation does not oblige States to grant beneficiaries of subsidiary protection residence permits of the same length as those granted to refugees, UNHCR recommends that the same type and length of permits should be granted to both persons holding subsidiary protection status and those recognized as Convention refugees, to avoid discrimination and ensure equal treatment.<sup>21</sup> According to international and European standards, a differentiated treatment according to immigration

<sup>15</sup> See, for example, Swedish Red Cross, Humanitarian Consequences of the Swedish Temporary Aliens Act, October 2018, <https://www.rodakorset.se/om-oss/fakta-och-standpunkter/rapporter/konsekvenser-av-tillfalliga-utlanningsslagen/>.

<sup>16</sup> UNHCR, Observations on the Report by the Cross-party Committee.

<sup>17</sup> Other family members have the right to reunification provided they were a member of the same household and there is a relationship of dependency between the family members that already existed in the country of origin. See further, UNHCR, Observations on the Report by the Cross-party Committee.

<sup>18</sup> UNHCR, Observations on the Report by the Cross-party Committee.

<sup>19</sup> See e.g. Norwegian Organization for Asylum-seekers, Realizing Refugees' Right to Family Unity, The challenges to family reunification in Norway, Sweden and Denmark, December 2019, [https://www.noas.no/wp-content/uploads/2019/11/Realizing\\_Refugees\\_Right\\_to\\_Family\\_Unity.pdf](https://www.noas.no/wp-content/uploads/2019/11/Realizing_Refugees_Right_to_Family_Unity.pdf).

<sup>20</sup> CRC, Art. 9, 10 and 16. UN CRC Committee, General comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin, <https://www.refworld.org/docid/42dd174b4.html>, para. 83.

<sup>21</sup> UNHCR, Comments on the European Commission Proposal for a Qualification Regulation – COM (2016) 466, February 2018, <https://www.refworld.org/docid/5a7835f24.html>.

status is only permitted when the grounds therefore are objectively and reasonably justified.<sup>22</sup> In UNHCR's experience, these two categories of beneficiaries of international protection have the same protection needs and face the same integration opportunities and challenges, as well as similar return prospects. In practice, beneficiaries of subsidiary protection are generally not able to return home earlier than refugees.

Further, one of the key changes in Swedish law, first through the temporary law and then through amendments to the Aliens Act, has been the shift from permanent to temporary residence permits for people in need of protection as the main rule. The introduction of time-limited residence permits for people in need of protection has meant that the issue of cessation of protection has gained increased urgency in Sweden. Although a full asylum assessment is not to be carried out, the process of extending the permits may lead to an increased review and reassessment of the protection needs.<sup>23</sup>

UNHCR has long advocated for refugees and beneficiaries of subsidiary protection to be entitled to a secure and stable protection status, which should not be subject to regular review. That is not to say that once protection has been accorded it can never cease. The refugee protection system – as set out in the 1951 Convention – was designed with that in mind, but an important feature is that refugees should be able to rely on that protection unless significant changes take place in the country they fled from which would bring to end the risk to their lives.

It was never the intention that refugees were to be subjected to regular reassessments once their protection needs first had been established. From that moment focus should be on providing refugees with a set of rights and support in order to restart their lives, enable them to provide for themselves and their families and contribute to the society that hosts them. Regular status reviews may be detrimental for the individual, and also create an unnecessary burden on the asylum authorities and increased costs for the State. In many cases, it is unlikely that protection status will end, as the protection needs are not typically of a short duration. Many situations of forced displacement worldwide are regrettably of a protracted nature and go on for many years, even decades.

UNHCR thus recommends that Sweden considers reverting to the previous well-established practice of granting a secure status to persons in need of international protection.<sup>24</sup> Such a measure would support integration and ensure a stable and sustainable foundation for all refugees and their families.

## 2.5. Integration

Fostering sustainable integration at the local level through social cohesion and equal opportunities is a key objective of the Global Compact on Refugees (GCR, see further below at 4.1). Integration requires appropriate investments of time and resources from States, local authorities, the private sector and civil society that have a key role to play in supporting integration, in addition to the efforts required from

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<sup>22</sup> Charter of Fundamental Rights of the EU, Art. 21; European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), Art. 14. For jurisprudence, see, for example, *Niedzwiecki v. Germany*, European Court of Human Rights (ECtHR), 25 October 2005, <http://www.refworld.org/docid/4406d6cc4.html>; *Okpiz v. Germany*, ECtHR, 25 October 2005, <http://www.unhcr.org/refworld/docid/4406d7ea4.html>; *Biao v. Denmark* (Grand Chamber), ECtHR, 24 May 2016, <http://www.refworld.org/cases,ECHR,574473374.html>; *Hode and Abdi v. The United Kingdom*, ECtHR, 6 November 2012, <http://www.refworld.org/cases,ECHR,509b93792.html>.

<sup>23</sup> Sweden, Migration Court of Appeal, MIG 2021:14, case no. UM2839-20, 8 July 2021 [https://www.refworld.org/cases,SWE\\_MCA,61d5b8874.html](https://www.refworld.org/cases,SWE_MCA,61d5b8874.html); UNHCR, Amicus curiae of the UNHCR in case number UM 2839-20, X against the Migration Agency before the Migration Court of Appeal, 21 September 2020 <https://www.refworld.org/docid/5fa50ed84.html>. See also, Swedish Refugee Law Centre, What happens when the protection needs end? ("Vad händer när skyddsbehovet tar slut?"), May 2021, <https://sweref.org/vad-hander-nar-skyddsbehovet-tar-slut/>.

<sup>24</sup> UNHCR, ExCom Conclusion on local integration, No. 104 (LVI) – 2005, <https://www.refworld.org/docid/4357a91b2.html>.

refugees in facilitating their integration. Additionally, joint efforts and an increased focus on countering growing intolerance and xenophobia are particularly relevant for asylum-seekers and refugees.

Integration poses both challenges and opportunities. Building social cohesion, stability and security requires that communities are well-equipped to receive refugees, and that refugees are well-supported to realize their potential in their new environments. Integration systems can be supported by three key elements: Increased funding for integration programmes; predictable, harmonized services; and engaging communities, refugees and civil society actors in fostering welcoming communities with a holistic approach.

The importance of effective integration has been underlined by all political parties in Sweden as a crucial focus. UNHCR recognizes the enormous efforts and investments that the Swedish Government has made over the years and the impressive work carried out at the level of the municipalities with input from other parts of the administration, as well as from civil society and the private sector. While acknowledging these efforts and challenges, UNHCR encourages Sweden to continue its work to ensure even more effective integration with a focus on fostering welcoming communities and social integration, labour market inclusion of refugees, supporting local authorities and the enhanced involvement of civil society to establish long-term integration policies and continued funding for integration programmes.

## 2.6. Situation of stateless persons

The stateless population in Sweden remains considerable in size, mainly consisting of migrants, asylum-seekers, refugees and persons of “unknown nationality”. UNHCR appreciates that the Swedish Government has initiated measures to address the identified challenges in reducing and preventing statelessness in Sweden.<sup>25</sup> UNHCR particularly welcomes the withdrawal of Sweden of two reservations to the 1954 Convention Relating to the Status of Stateless Persons (1954 Convention).<sup>26</sup>

In order to fully implement its international treaty obligations related to statelessness, UNHCR recommends Sweden to introduce a definition of a stateless person in line with the definition in the 1954 Convention. UNHCR also recommends the establishment of a full-fledged statelessness determination procedure, including the introduction of a statelessness-specific residence permit for stateless persons who, due to their statelessness, have no country to return to, and who today receive residence permits not corresponding to their protection needs as stateless persons.

The Government Inquiry on Nationality in its report of 2021 recommended that Sweden should not adopt a system of automatic acquisition of nationality for children born stateless in Sweden, due to the high costs involved and that many children born stateless anyway over time acquire citizenship in Sweden.<sup>27</sup> In its observations to the report, UNHCR provided recommendations to strengthen safeguards for children born stateless, including to proceed with automatic acquisition of Swedish nationality for children born stateless as the best and safest way to avoid childhood statelessness.<sup>28</sup> For consistency with international law, the Swedish Citizenship Act needs to be amended so that children born stateless in Sweden will acquire citizenship automatically, or as soon as possible after birth, regardless of their residence status, with no other requirement than the child being otherwise stateless.

<sup>25</sup> UNHCR, Mapping Statelessness in Sweden, December 2016, <https://www.refworld.org/docid/58526c577.html>.

<sup>26</sup> See further at <https://www.unhcr.org/ibelong/results-of-the-high-level-segment-on-statelessness/>.

<sup>27</sup> Swedish Government, Final report of the inquiry on language and social studies requirements for Swedish citizenship and other citizenship issues (“Slutbetänkande av Utredningen om språk- och samhällskunskapskrav för svenskt medborgarskap och andra frågor om medborgarskap”), 2 July 2021, <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2021/07/sou-202154/>.

<sup>28</sup> UNHCR, Observations on the Final report of the inquiry on language and social studies requirements for Swedish citizenship and other citizenship issues, 4 November 2021, <https://www.refworld.org/docid/618958b44.html>.



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

For improved protection and integration of refugees and stateless persons, UNHCR recommends Sweden to:

1. Uphold the quality and efficiency of the Swedish asylum procedure, including by safeguarding the resources of the Swedish Migration Agency and the Migration Courts;
2. Adopt a holistic and child-sensitive approach to the reception of unaccompanied and separated asylum-seeking children, by exploring the concepts “Barnahus” and “Barnlanda”;
3. Ensure the same level of social support and access to health services to beneficiaries of temporary protection as other refugees in Sweden;
4. Make education compulsory for asylum-seeking children and children who have been granted temporary protection to fully reflect Articles 22 and 28 of the CRC;
5. Remove legal, financial and practical obstacles to family reunification to ensure the earliest possible reunification of families and to protect especially women and children from having to undertake dangerous and risky journeys to reach their loved ones;
6. Refrain from introducing an indicative nominal threshold for the number of asylum-seekers to be received in Sweden annually;
7. Continue working towards an effective integration system, with a focus on fostering welcoming communities, social and labor market inclusion of refugees, through enhanced involvement of local authorities and civil society and sufficient funding of integration programmes;
8. Provide a secure and stable residence status to both adults and children who are recognized as in need of international protection to facilitate an early and effective integration process;
9. Grant the same rights to refugees and other beneficiaries of international protection, in particular in respect of length of residence permits and family reunification, in order to avoid discrimination and ensure equal treatment;
10. Introduce a definition of a stateless person in Swedish law and establish a statelessness determination procedure, including the granting of a formal status for those stateless persons who are unable to return to their country of previous habitual residence;
11. Align the Swedish Citizenship Act with the standards of the 1954 and the 1961 Conventions and the CRC so that children born stateless in Sweden will acquire citizenship automatically or as soon as possible after birth, regardless of their residence status.

### 3. Swedish engagement in strengthening the EU refugee protection regime

UNHCR recognizes the Swedish Government’s strong voice within the EU, advocating for greater solidarity and a joint and fair EU solution to the situation of refugees arriving in Europe. UNHCR commends the Government’s efforts to ensure that the reform of the Common European Asylum System (CEAS) is based on international standards and a more equal distribution of refugees. UNHCR urges Sweden to continue to use its standing as a global advocate for human rights, democracy and solutions to continue focusing on promoting and building a coordinated European response and a unified European asylum and migration policy.

From the onset of the Ukraine refugee situation, Sweden and other EU Member States demonstrated remarkable solidarity with a unanimous decision to activate the TPD, providing protection, access to rights and assistance to millions of people. The response to the Ukraine refugee situation has highlighted

Europe's capacity for an organized and workable approach to asylum – one that benefits states and safeguards the rights of refugees.

The legislative cycle at EU level and the European Commission's Pact on Migration and Asylum<sup>29</sup> have provided opportunities to forge common ground among Member States on evolving issues of asylum and migration, in line with the GCR<sup>30</sup> and the Global Compact for Migration.<sup>31</sup> It is vital that the reform to secure key improvements to the EU asylum rules remains high on the political agenda.

UNHCR considers that a comprehensive approach to addressing the internal and external aspects of asylum and migration policies would be the most effective, sustainable and humanitarian way of reaching an agreement among Member States on the reform of the CEAS. UNHCR encourages Sweden to be a part of solidarity mechanisms amongst EU Member States in order to ensure greater responsibility-sharing for asylum-seekers, and ultimately better protection for people fleeing war, violence and persecution.

Internal EU solidarity must be accompanied by continued access for people to the EU's asylum procedures, rather than shifting protection responsibilities and externalizing asylum processing to non-EU countries. UNHCR therefore encourages Sweden to further emphasize effective access to EU territory, fair and effective asylum procedures and to provide swift access to safety for those in need of international protection, including finding a long-term predictable solution for disembarkation arrangements as well as ensuring timely returns for those who are not in need of international protection.

Further, in the spirit of the GCR, UNHCR encourages Sweden to continue promoting EU's external engagement, including in its neighborhood with a view to expanding the protection space globally, a strong commitment to resettlement and complementary pathways as well as increased support to countries outside of the EU.<sup>32</sup>

**To contribute to an effective EU protection regime, UNHCR recommends Sweden to:**

1. Actively support the development of a Common European Asylum System, based on international protection standards and practices, including access to protection in the EU;
2. Participate in effective mechanisms to facilitate greater EU solidarity and responsibility sharing to support EU MS receiving a disproportionate number of asylum claims;
3. Support the development of a safe and predictable disembarkation mechanism in relation to the Mediterranean Sea and processing of persons rescued at sea;
4. Promote EU cooperation with both countries of origin and transit to expand the global protection space for persons in need of international protection.

<sup>29</sup> UNHCR, Recommendations for the European Commission's Proposed Pact on Migration and Asylum, January 2020, <https://www.refworld.org/docid/5e3171364.html>.

<sup>30</sup> <https://www.unhcr.org/ph/the-global-compact-on-refugees>.

<sup>31</sup> <https://www.iom.int/global-compact-migration>.

<sup>32</sup> UNHCR, Recommendations for the French and Czech Presidencies of the Council of the European Union, January 2022 <https://www.refworld.org/docid/61d71e864.html>; UNHCR, Recommendations for the Croatian and German Presidencies of the Council of the European Union, 9 January 2020, <https://www.refworld.org/docid/5dee08387.html>.



## 4. Swedish engagement in strengthening the global commitment for the protection of refugees

In the past decade, global forced displacement has increased in scale and complexity. In 2022, the total forced displacement exceeded 100 million people. Contrary to what is often portrayed, the majority of persons forced to flee from their homes stay in their own country or flee to the immediate neighboring country. Low and middle-income countries are hosting 83 per cent of the world's refugees, with the least developed countries providing asylum for one-third of the global total.

While fewer people are crossing the sea borders to Europe, too many are still tragically losing their life at sea trying to reach safety. Pushbacks and abuses at land borders also continue, meaning many people cannot access Europe to seek protection. Meanwhile, the world's response to large-scale movements remains inadequate and underfunded leaving many refugees with a very uncertain future.

### 4.1. The Global Compact on Refugees

The GCR recognizes the need for strengthened burden- and responsibility-sharing in the context of forced displacement and for more complementarity between the approaches of humanitarian, development and peace-building actors. The GCR, adopted in December 2018, although not legally binding, guides the international community as a whole in supporting refugees and countries and communities hosting large numbers through the mobilization of political will and a broadening of the base of support.

Sweden has played a crucial role in its political support and active engagement throughout the whole process of the New York Declaration, the Comprehensive Refugee Response Framework and the GCR. UNHCR appreciates that Sweden has been promoting a rights-based approach, a whole of government response, a positive refugee narrative, addressing root causes, the humanitarian-development nexus, the role of education and private sector in creating self-reliance.

The GCR mandates the organization of a Global Refugee Forum every four years, as the main vehicle for follow-up and implementation of the GCR. The first Forum was convened in December 2019 and indicated a strong international commitment to come together to work in the spirit of the UN's 2030 Agenda for Sustainable Development and help refugees and their hosts to live lives in dignity. UNHCR encourages Sweden to continue promoting and supporting the effective implementation of the GCR, including through the pledges made by Sweden and other States.<sup>33</sup>

Every two years between Forums, a High-Level Officials Meeting is convened to take stock of progress and maintain momentum towards the objectives of the GCR.<sup>34</sup> The first meeting took place in 2021 to shape the substance and implementation of both ongoing and future pledges, support, partnerships, and initiatives. UNHCR is grateful for Sweden's steadfast commitment to the GCR as expressed during the meeting and for its contributions that help translate the GCR into concrete improvements in the lives of refugees and the communities that host them.<sup>35</sup>

<sup>33</sup> For further information about the Global Compact on Refugees, including pledges and contributions, see <https://globalcompactrefugees.org/index.php/>.

<sup>34</sup> High-Level Officials Meeting, Reflecting on progress and charting the future, <https://www.unhcr.org/high-level-officials-meeting.html>.

<sup>35</sup> High-Level Officials Meeting, Plenary statement by Sweden, Geneva, 14 December 2021, <https://www.unhcr.org/61b8c6864.pdf>.

## 4.2. Resettlement and Complementary Pathways

As opportunities for voluntary repatriation and local integration of refugees in the current global landscape are increasingly limited, resettlement becomes an even more important tool for protection and for finding solutions for some of the world's most vulnerable refugees. Intensified international efforts are critical to address the shortage of resettlement opportunities. Sweden and other States can demonstrate their commitment to global solidarity and responsibility-sharing with States hosting large numbers of refugees by expanding resettlement programs and the range of legal pathways for refugees, which will also help to combat the business model of human smuggling and trafficking networks.

As part of the GCR, UNHCR, States and partners adopted in 2019 a global three-year strategy on Resettlement and Complementary Pathways.<sup>36</sup> Sweden increased its commitment to receive 5,000 resettled refugees compared to 1,900 in 2018. This commitment has been maintained through 2021 and 2022. Sweden also maintains a substantial Priority Global Quota of 500 places for emergency and urgent cases world-wide.<sup>37</sup>

UNHCR has a long-standing partnership with Sweden on resettlement. Thousands of refugees, including many women and children, have been able to find safety and restart their lives through the Swedish resettlement programme. UNHCR therefore looks forward to sustained cooperation with Sweden in working together to find solutions for refugees both in Europe and globally, through resettlement and in seeking other complementary pathways for refugees, including community sponsorships programs.

## 4.3. Sweden's political and financial support to international refugee situations

UNHCR appreciates Sweden's role in international crisis management, including mediation and peace keeping. UNHCR also wishes to highlight Sweden's steadfast commitment to multilateralism and support for the UN. Sweden's humanitarian policy supports protection of vulnerable groups in displacement, including vulnerable girls and women, survivors of sexual and gender-based violence and persons with disabilities. Sweden provides essential funding and has an important role to play to help displaced persons thrive rather than only survive with its support for the humanitarian-development nexus including exploring opportunities for targeting development programs in large refugee-receiving countries to meet the needs of both host communities and refugees. At the global level, UNHCR looks forward to engaging closely with Sweden on the issue of climate change induced displacement.

Sweden is one of UNHCR's most important strategic donors and UNHCR's biggest donor of flexible and unrestricted core funding. UNHCR appreciates Sweden's continued commitment to predictable and increased levels of flexible funding to both humanitarian and development programs benefitting host communities and refugees as well as to finding humanitarian solutions and developing new innovative approaches to end displacement.

<sup>36</sup> UNHCR, The Three-Year Strategy (2019-2021) on Resettlement and Complementary Pathways, June 2019, <https://www.unhcr.org/5d15db254.pdf>. For the next phase of the Strategy, see UNHCR, The Third Country Solutions for Refugees: Roadmap 2030, June 2022, <https://globalcompactrefugees.org/sites/default/files/2022-08/Third%20Country%20Solutions%20for%20Refugees%20-%20Roadmap%202030.pdf>.

<sup>37</sup> UNHCR, Final Report: The Three-Year Strategy (2019-2021) on Resettlement and Complementary Pathways, 25 March 2022, [https://globalcompactrefugees.org/sites/default/files/2022-03/Three%20Year%20Strategy%20%282019-2021%29%20End%20Report\\_Final%20for%20copy%20edit\\_final-compressed.pdf](https://globalcompactrefugees.org/sites/default/files/2022-03/Three%20Year%20Strategy%20%282019-2021%29%20End%20Report_Final%20for%20copy%20edit_final-compressed.pdf).



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

To enhance Swedish support to refugee protection around the world, UNHCR recommends Sweden to:

1. Continue to promote the Global Compact on Refugees – ensuring its effective implementation – and sustained engagement in placing protection and solutions of refugee situations at the top of the international political agenda;
2. Continue support for a flexible resettlement quota and introduction of complementary pathways, including community-based sponsorship programs and measures to improve access to efficient family reunification procedures, as a demonstration of global solidarity and responsibility sharing for refugee protection;
3. Continue commitment to increased predictable financial and flexible humanitarian and development funding to support international and local organizations as well as host countries respond to refugee situations around the world.

**UNHCR Representation for the Nordic and Baltic Countries**

**September 2022**