

LIBERTIES

RULE OF LAW

REPORT

2026



#roi-report2026

SWEDEN



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FOREWORD

The Liberties Rule of Law Report 2026 is the seventh annual report on the state of rule of law in the European Union (EU) published by the Civil Liberties Union for Europe (Liberties). Liberties is a non-governmental civil society organisation promoting the civil liberties of everyone in the EU, and it is built on a network of national civil liberties groups from across the EU. Currently, we have member organisations in Belgium, Bulgaria, the Czech Republic, Croatia, Denmark, Estonia, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Sweden, as well as a contributing partner organisation in Greece.

Liberties, together with its members and partner organisations, carries out advocacy, campaigning and public education activities to explain what the rule of law is, what the EU and national governments are doing to protect or harm it, and gathers public support to press leaders at EU and national level to fully respect, promote and protect our basic rights and values.

Drafted by Liberties and its member and partner organisations, the 2026 report covers the situation during 2025 with the purpose of providing the European Commission with reliable information and analysis from the ground to feed its own rule of law reports, and to provide an independent analysis of the state of the rule of law in the EU in its own right. Liberties' report represents the most in-depth reporting exercise carried out to date by a civil society network to map developments in a wide range of areas connected to the rule of law in the EU.

The 2026 report includes EU-wide trend analysis in the justice system, anti-corruption framework, media freedom, checks and balances, based on 22 country reports that follow a common structure, mirroring and expanding on the priority areas and indicators identified by the European Commission for its annual rule of law monitoring cycle. Nearly 40 organisations contributed to the compilation of these country reports. The 2026 report places particular emphasis on the recommendations made by the European Commission and how, in the assessment of Liberties' members, they have been implemented. Specific gaps were identified alongside new issues that arose in 2025.

[Download the full Liberties Rule of Law Report 2026 here.](#)

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ABOUT THE CONTRIBUTING ORGANISATIONS

Civil Rights Defenders



Civil Rights Defenders is a politically and religiously independent international human rights organisation. Its mission is to defend civil and political rights, as well as local human rights defenders by increasing their security, capacity, and access to justice. We work as part of a global movement of human rights defenders and partner with those at risk. Through legal means and public advocacy, we hold states, individuals, and non-state actors accountable for human rights violations. We advocate for the norms and values of the International Covenant on Civil and Political Rights and other relevant human rights standards, as we encourage people to use these rights to promote democratic societies.

International Commission of Jurists (ICJ-Sweden)



The Swedish section of the International Commission of Jurists (ICJ-Sweden) - whose members are lawyers - works to promote human rights and the rule of law in Sweden and internationally. At the national level, ICJ-Sweden monitors Sweden's international, regional, and constitutional obligations in the field of human rights, ensuring that the rights of individuals are observed, that the judiciary is independent and accountable, and works to strengthen its compliance with fundamental rights. ICJ-Sweden works for equality before the law and non-discrimination and claims the right to a fair trial a right in itself, and promotes active resistance when violations of rights occur. ICJ Sweden designs a Program for Justice in Sweden, organises debates and seminars on current issues, and collaborates with other rights organisations when individual and structural violations in society have been identified. At the international level, ICJ-Sweden monitors trials in order to promote human rights and the rule of law.

OVERALL ASSESSMENT: SLIDER

The rule of law concerns observed in recent years continued in 2025, primarily due to the government's legislative practices and restrictions on civic space. The government continued to advance a high volume of legislation at an accelerated pace. Shortened consultation periods limit meaningful participation by civil society and other stakeholders, thereby weakening the democratic process. The Council on Legislation and multiple stakeholders repeatedly warned that these practices undermine legislative quality and democratic scrutiny. Despite this criticism, no improvement was observed in 2025.

A particularly significant development was the government's increasing use of committees of inquiry with pre-determined conclusions, notably in criminal law and migration. By defining expected outcomes in advance, the executive has weakened the independence and credibility of these investigative bodies, negatively affecting institutional checks and balances. Civic space further deteriorated in 2025. The government imposed stricter limitations on freedom of assembly and expression, with police and prosecutorial authorities continuing to intervene in peaceful protests. Environmental defenders and other activists have been disproportionately targeted, signalling a chilling effect on dissent.

Overall, executive-driven legislative acceleration, weakened investigative independence, and shrinking civic space combined to significantly undermine the rule of law in 2025. Taken together, these concerns weaken the rule of law by reducing accountability and checks on power: when civil society is sidelined and consultations are rushed, laws are developed and implemented with less scrutiny and democratic legitimacy. Restrictions on protest, expression, and association undermine equal application of the law and chill lawful dissent, a core safeguard against abuse of power. Funding cuts and hostile rhetoric toward Non-Governmental Organisations (NGOs) weaken independent watchdogs, while expanded surveillance and fast-track criminal measures risk legal uncertainty and disproportionate enforcement, eroding trust that laws are fair, predictable, and rights-based.

Assessment of the trajectory

The backsliding has become entrenched and requires urgent action. Worrying trends first observed in earlier reports have turned into ever more systematic restrictions on fundamental rights and freedoms – most notably the freedoms of assembly and of expression. Legislative proposals flagged earlier as warning signs of a shift to increasingly harsh criminal and migration policies have now been implemented and even more stringent legislation proposed, such as removing the statute of limitations on removal decisions, widening usage of secret coercive measures including against children and outside the scope of preliminary investigations and widening possibility for authorities to override secrecy

framework in sharing of information for crime prevention.¹ With civil society increasingly sidelined in the democratic process and struggling to overcome cuts to funding and ever-shrinking civic space, it is unfortunately likely that these trends will continue if not urgently addressed.

ACTIVATING OTHER PARTS OF THE EU RULE OF LAW TOOLBOX

Increased support for civil society, networks, and projects are needed. In addition, the proposed ‘reporting law’ would require a wide range of public sector employees at both the municipal and national level to report undocumented persons to authorities (the Swedish Migration Agency and/or police).² This much-criticized proposal could be implemented in July 2026. Critics argue that it will put Sweden in violation of international human rights treaties, including the Convention on the Rights of the Child.³ Should the implementation of this proposal put Sweden in breach of EU law, the launch of infringement proceedings would then be merited.

- 1 Swedish Migration Agency, Changed rules for statute of limitations, re-entry ban and track change, 1 April 2025, <https://www.migrationsverket.se/nyheter/news-archive/2025-04-01-changed-rules-for-statute-of-limitations-re-entry-ban-and-track-change.html>; Government of Sweden, Secret and preventive coercive measures when children under the age of 15 commit crimes (*Hemliga och preventiva tvångsmedel när barn under 15 år begår brott*), 28 May 2025, <https://www.regeringen.se/rattsliga-dokument/proposition/2025/05/prop.-202425175>; and, Government of Sweden, Proposal 2024/25:65 - Increased flow of information to law enforcement (*Proposition 2024/25:65 - Ökat informationsflöde till brottsbekämpningen*), 28 November 2024, <https://www.regeringen.se/contentassets/e5a3d2c-c671047988965d30422a37065/okat-informationsflode-till-brottsbekampningen-prop.-20242565.pdf>.
- 2 Swedish Government, Prop. 2024/25:65 – Increased flow of information to law enforcement (*Prop. 2024/25:65 – Ökat informationsflöde till brottsbekämpningen*), 29 November 2024, <https://www.regeringen.se/rattsliga-dokument/proposition/2024/11/prop.-20242565#:~:text=Regeringen%20f%C3%B6resl%C3%A5r%20d%C3%A4rf%C3%B6r%20att%20det,Polismyndigheten%20och%20C3%B6vriga%20brottsbek%C3%A4mpande%20myndigheter>.
- 3 Save the Children, Policy Brief – The Act on the Rights of the Child (*Angiverilagen och barnrätten*), August 2024, <https://resourcecentre.savethechildren.net/document/angiverilagen-och-barnratten>; Swedish Red Cross (Röda Korset), Humanitarian consequences of the duty to inform – increased suffering, especially for children and women, without the intended effect (*Humanitära konsekvenser av informationsplikten – ökat lidande, särskilt för barn och kvinnor, utan avsedd effekt*), 25 November 2024, <https://www.rodakorset.se/om-oss/fakta-och-standpunkter/rapporter/humanitara-konsekvenser-av-informationsplikten/>; Akademikerförbundet SSR, *Stop the information law!* (*Stoppa angiverilagen!*), <https://akademssr.se/stoppaangiverilagen>

State of play (versus 2025)

-  Justice system
-  Anti-corruption framework
-  Media Environment and Media Freedom
-  Checks and balances

Legend

- | Regression | No progress | Progress |
|---|---|---|
|  |  |  |

JUSTICE SYSTEM -

General assessment

Because earlier warning signs in this area have been ignored, the backsliding is becoming entrenched. In 2025, the rapid pace and volume of legislation, particularly in migration and criminal law, posed clear threats to the rule of law by weakening democratic scrutiny and increasing the risk of laws breaching international human rights standards. Examples of legislative proposals in criminal law during 2025 are the introduction of more possibilities for law enforcement to use secret surveillance, including preventively, against children,⁴ proposals for lowering the age of criminal responsibility from 15 to 13 years for serious crimes, and replacing rehabilitative institutions with prisons for underage offenders,⁵ as well as a criminal law reform whose main focus is imposing longer prison sentences.⁶ In migration law, asylum seekers who had settled in Sweden before their asylum claim was declined can no longer apply for a work permit. The statute of limitations for negative decisions in asylum procedures no longer applies if the person who received the negative decision in an asylum case remains in Sweden,⁷ moreover, an inquiry has proposed the possibility of revoking permanent residence permits.⁸ Short consultation deadlines, limited civil society participation, and government inquiries with pre-determined conclusions undermined the independence and quality of lawmaking. For example, concerning the lowering of the age of criminal responsibility, the appointed inquiry concluded in January 2025 that the age should be lowered to 14. Seven out of nine experts in the inquiry were against the conclusion, and a great majority of consultative bodies were also against. Despite this, the government proceeded in September 2025 to send a draft proposal to the Council on Legislation (Lagrådet) on consultation, proposing a lowering of the age of criminal responsibility to 13. This time every single consultative body was against the proposal. Despite this, the government

4 Government of Sweden, *Draft proposal referred to the Council on Legislation ('Sänkt straffbarhetsålder för allvarliga brott')*, 24 September 2025, <https://www.regeringen.se/rattsliga-dokument/lagratsremiss/2025/09/utkast-till-lagratsremiss-sankt-straffbarhetsalder-for-allvarliga-brott/>.

5 Government of Sweden, *Draft proposal referred to the Council on Legislation ('Frihetsberövande påföljder för barn och unga')*, 6 November 2025, <https://www.regeringen.se/rattsliga-dokument/lagratsremiss/2025/11/frihetsberovande-pafoljder-for-barn-och-unga/>.

6 Government of Sweden, *Inquiry – A penal reform ('Inquiry– En straffreform')* (SOU 2025:66) 2025:66, 5 June 2025, <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2025/06/sou-202566/>.

7 Government of Sweden, *Act amending the Aliens Act ('Lag om ändring i utlänningslagen')* (2005:716), 18 March 2025, <https://www.svenskforfattningssamling.eu/sites/default/files/sfs/2025-03/SFS2025-225.pdf>.

8 Government of Sweden, *Inquiry – Change of permanent residence permit for certain foreign nationals, ('Inquiry – Ändring av permanent uppehållstillstånd för vissa utlänningar')* (SOU 2025:99), 26 September 2025, <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2025/09/sou-202599/>.

has in January 2026 proceeded with sending the proposal to the Council on Legislation with the aim of it entering into force in July 2026. These fast-tracked processes heightened legal uncertainty, placed undue interpretative pressure on courts, and eroded public trust in the predictability, fairness, and legitimacy of the legal system.

Implementation of 2025 Commission recommendations

Recommendation: Ensure that the nomination system of lay judges safeguards their independence, taking into account European standards on judicial independence. (first made in 2023)

The Swedish Parliament has voted to adopt the proposals to strengthen democratic protections and the independence of the judiciary.⁹ The proposed constitutional amendments would enhance judicial independence through measures including the creation of an independent board composed primarily of judges to oversee the National Courts Administration, constitutional-level protections for the independence of the judiciary, and safeguards against court-packing, such as regulations on the number of Supreme Court judges and retirement ages.

Because these proposals entail amending the constitution (*grundlagen*), Parliament is required to hold two votes on the proposal resulting in the same outcome, with a parliamentary election in between. As such, the first vote means that the proposals are held in abeyance. Parliamentary elections are scheduled for September 2026 and if passed again, the amendments would come into force on 1 April 2027.¹⁰

CRD made no recommendation they would like to have seen.

Commission's 2025 assessment: No progress Civil Rights Defender's current assessment: In progress (initial steps)

9 Swedish Government, Prop. 2024/25:165 - Strengthened protection for democracy and the independence of the courts ('Prop. 2024/25:165 - *Stärkt skydd för demokratin och domstolarnas oberoende*'), 29 April 2025, <https://regeringen.se/rattsliga-dokument/proposition/2025/04/prop.-202425165>.

10 Swedish Government, *Enhanced protection of democracy and the independence of the courts*, 1 October 2025, https://www.riksdagen.se/en/news/articles/2025/oct/1/enhanced-protection-of-democracy-and-the_cms4009ce55-725f-49f3-a7a5-9623a9d76295en/.

Gaps in the Commission's Report

Lawmaking, judicial review and asylum deficits

The Commission has not made any recommendations regarding the importance of ensuring effective and transparent public consultation and stakeholder participation in the legislative process. Repeated concerns include the inadequate time allotted for stakeholder consultation, insufficient consideration given to the opinions of expert organisations in proceeding with legislative proposals after consultation, and lack of access to court proceedings, as seen in the limited possibilities for citizens to reach the Court of Justice of the European Union (CJEU) through requests for preliminary rulings, especially in migration cases. As these are areas that have become increasingly concerning in recent years, with continued negative developments seen during 2025, Civil Rights Defenders believes that a recommendation from the Commission is critical to check the backsliding.

The worrying trend of the fast pace and high volume of legislation continued in 2025, especially in the areas of migration and criminal law, including complex and controversial legislation that could put Sweden at risk of being in breach of its international obligations. In 2025, several legislative proposals within the area of criminal law policy, including a proposal for one of the biggest penal law reforms in modern time, have been put forth, with stakeholders given only a short period to submit input despite the complexity of the issues.¹¹ The penal law inquiry was almost 2000 pages and included reforms designed to fundamentally restructure core principles of criminal law. Despite this being one of the most extensive systemic changes in modern times, stakeholders only had approximately four months, three of which were during the traditional Swedish summer vacation period (June–August), to submit their consultation responses. Although such legislative proposals require careful analysis and consideration, the government has instead been imposing short deadlines on relevant stakeholders to submit consultation responses. For civil society organisations in particular, many of whom have limited resources, this is a serious impediment to their participation in the legislative process. Fast-tracked measures also create a risk of legal uncertainty and erode public trust that legislation is fair, predictable, and rights-based. Moreover, as highlighted in 2025's report, the democratic deficiency has been exacerbated by the government pre-emptively assigning conclusions in terms of reference for government-appointed committees of inquiry, particularly within the areas of criminal law and

11 Government of Sweden, Inquiry – A penal reform (*Inquiry – En straffreform*) (SOU 2025:66) 2025:66, 5 June 2025, <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2025/06/sou-202566/>.

migration.¹² Government directives are increasingly specifying in advance the conclusions that an investigation should reach, and committees have been tasked with presenting proposals regardless of the actual conclusions. The rapid and insufficiently scrutinised legislative process is likely to lead to increased pressure on courts, as they are subsequently required to interpret and apply legislation that has not been adequately assessed for compatibility with constitutional and international human rights standards.¹³

Further, Swedish courts have historically demonstrated a reluctance to request preliminary rulings from the CJEU.¹⁴ This is clearly noticeable at the Migration Court of Appeal, which is the highest judicial body in migration cases. During 2025, the Migration Court of Appeal did not request any preliminary rulings; in 2024, there was only one request.¹⁵ As there are no judicial remedies under national law to appeal the Migration Court of Appeal's rulings, the court is obliged to request preliminary rulings regarding the interpretation of EU law in accordance with Article 267 of the Treaty on the Functioning of the European Union (TFEU). The lack of requests for preliminary rulings unduly restricts access to judicial review of national decisions and hinders the uniform implementation of EU

12 E.g. Jacob Lind, Regardless of one's position on the matter ('*Oavsett ställningstagande i sak*'), Vol 2(1) 2025, <https://mau.diva-portal.org/smash/get/diva2:1968932/FULLTEXT01.pdf>, Criticism of the government's pace – could result in poorer legislation, ('*Kritik mot regeringens tempo – kan ge sämre lagar*'), 12 March 2024, <https://omni.se/kritik-mot-regeringens-tempo-kan-ge-samre-lagar/a/76EWyv>, and DEBATE: Tidö parties override civil servants ('*DEBATT: Tidöpartierna kör över tjänstemännen*'), <https://www.arbetsvarlden.se/debatt/tidopartierna-kor-over-tjanstemannen/>.

13 Domstolsverket, A record year for Sweden's courts ('*Ett rekordår för Sveriges domstolar*'), 10 March 2025, <https://www.domstol.se/domstolsverket/om-domstolsverket/nyhetsbrev-om-sveriges-domstolar/ett-rekordar-for-sveriges-domstolar/>, Domstolsverket, The National Courts Administration critical of parts of the penal reform ('*Domstolsverket kritiskt mot delar av straffreformen*'), 9 October 2025, <https://www.domstol.se/nyheter/2025/10/domstolsverket-kritiskt-mot-delar-av-straffreformen/#:~:text=%C3%96kad%20arbetsbelastning%2C%20l%C3%A4ngre%20handl%C3%A4ggningstider%20och%20fler%20f%C3%B6rtursm%C3%A5l%20som,kompetensf%C3%B6r%C3%B6rjningen.%20Domstolsverket%20betonar%20%C3%A4ven%20behovet%20av%20straffprocessuella%20reformer.>

14 According to CJEU's annual reports, Swedish courts requested 34 preliminary rulings between 2020–2024. See, CJEU, *Annual Report 2024: Statistics concerning the judicial activity of the Court of Justice*, https://curia.europa.eu/site/upload/docs/application/pdf/2025-09/ra_en_statistiques_24_-b_statistiques-cour.pdf; see also, Ulf Bernitz, *Förhandsavgöranden av EU-domstolen 1995–2020*, September 2021, https://sieps.se/media/2ipn3amq/sieps-2021_2-web.pdf, for an analysis of the approach of Swedish courts to requesting preliminary rulings. Bernitz concludes that while Swedish courts fully recognize EU law, they have been reluctant to request preliminary rulings and could do so more often.

15 Official statistics from the Migration Court of Appeal, <https://www.domstol.se/migrationsoverdomstolen/avgoranden/>.

legislation within Member States. It is of fundamental importance in ensuring the correct application of EU legislation that national courts adhere to the requirement of Article 267 of TFEU and measures need to be introduced to encourage Swedish courts to do so. This practice raises serious concerns regarding effective judicial protection, particularly in cases where individuals' fundamental rights under EU law are at stake. Moreover, the Migration Court of Appeal has at times failed to provide adequate reasoning for why a preliminary ruling was not requested, a deficiency explicitly noted by the Supreme Administrative Court in a judgment of April 2025.¹⁶ This lack of transparency further undermines legal certainty and accountability in migration proceedings.

Despite recurring reports of sub-standard living conditions in asylum centres, no legislative or administrative measures have been introduced to ensure effective monitoring or accountability.¹⁷ In 2025, attempts were made to report the deficient living conditions to both the Health and Social Care Inspectorate (*Inspektionen för vård och omsorg, IVO*) and the Parliamentary Ombudsman (*Justitieombudsmannen, JO*).¹⁸ IVO is a government agency responsible for supervising health care, social services and activities under the Act concerning Support and Service for Persons with Certain Functional Impairments.¹⁹ JO reviews the implementation of laws and other regulations in the public sector, including courts of law and other public authorities, as well as their employees.²⁰ However, these efforts have not resulted in any effective oversight, largely due to insufficient legal provisions granting these bodies the authority to supervise asylum accommodation standards. Combined with the forthcoming introduction of the legal fiction of non-entry under the EU Migration and Asylum Pact, this creates a situation where individuals are placed outside the scope of ordinary legal safeguards, amplifying the risk of rights violations.

16 Supreme Administrative Court (*Högsta förvaltningsdomstolen*), Judgment of 14 April 2025, Case No. 4793-24, <https://www.domstol.se/globalassets/filet/domstol/hogstaforvaltningsdomstolen/2025/domar-och-beslut/4793-24.pdf>, paragraph. 13.

17 See, e.g., Swedish Association of Local Authorities and Regions (Sveriges Kommuner och Regioner, SKR), *Skrivelse gällande situationen kring Migrationsverkets mottagande- och återvändandecenter*, 19 September 2025, <https://extra.skr.se/download/18.59e8a5b11992795b53090d35/1758285733141/WEBB-09-Skrivelse-Mottagningscenter.pdf>.

18 Complaint to the Parliamentary Ombudsman, filed by Skåne Stadsmission on 16 July 2025, case number 8087-2025. The Parliamentary Ombudsman did not open an investigation, thereby not indicating if their oversight includes the centres. In a written response on 4 July 2025, the Health and Social Care Inspectorate (IVO) stated that the matter falls outside its supervisory remit (reference number 250526-000051). IVO is the Swedish authority responsible for the supervision and licensing of healthcare and social services.

19 For more information, see About IVO, <https://www.ivo.se/other-languages/about-ivo/>.

20 For more information, see About JO - JO - Riksdagens Ombudsmän, <https://www.jo.se/en/about-jo/>.

New Issues that Emerged in 2025

Sweden introduced sweeping reforms in 2025 that significantly toughen criminal law and tighten migration and asylum rules, including proposals affecting children, access to legal safeguards, and long-term residence rights. These rapid and far-reaching changes raise serious concerns about regression in fundamental rights, reduced legal protections, and weakened adherence to international human rights standards.

In 2025, several new legislative proposals reflect the shift in Swedish criminal law and migration policy. In June 2025, a government-appointed committee of inquiry presented a proposal for one of the biggest penal law reforms in modern time.²¹ Among the suggested legislative changes are significantly increased penalties for a large number of crimes and double penalties for crimes connected to criminal organisations.²² Experts in the committee, whose task it was to present this inquiry, have stated that since the committee's directives were focused primarily on increasing repression, and given the short time available to the committee, it has not been possible for the committee's experts to assess whether the proposals as a whole are reasonable.²³ In January 2025, a government inquiry was presented which proposed a lowering of the age of criminal responsibility from 15 to 14 years. The directives of this inquiry had been predetermined so as to bind the committee to suggest such a change, regardless of the committee's conclusions.²⁴ Despite opposition from seven out of nine experts on the committee and a majority of consultation bodies, in September the government went a step further than the committee and proposed a temporary lowering of the age of criminal responsibility to 13 years.²⁵ The proposals represent a regression of established rights and therefore violate a fundamental principle of international law. They are incompatible with the purpose of the Convention on the Rights of the Child, particularly when considered alongside other reforms such as the removal of sentence

21 Government of Sweden, SOU 2025:66 *En straffreform*, 5 June 2025, <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2025/06/sou-202566/>.

22 Sweden Herald, *Gang-related crimes to result in double punishment, to be introduced this year*, 15 January 2026, <https://swedenherald.com/article/penalties-for-around-50-crimes-to-be-tightened>.

23 Government of Sweden, SOU 2025:66 *En straffreform*, 5 June 2025, <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2025/06/sou-202566/>.

24 Government of Sweden, SOU 2025:11 *Straffbarhetsåldern*, 28 January 2025, <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2025/01/sou-202511/>.

25 Government of Sweden, *Straffbarhetsåldern ska sänkas till 13 år*, 10 September 2025, <https://www.regeringen.se/debattartiklar/2025/09/straffbarhetsaldern-ska-sankas-till-13-ar/>.

reductions for young offenders and extended periods before conditional release.²⁶ The proposals also conflict with recommendations from the UN Committee on the Rights of the Child, which has stated that the age of criminal responsibility should not be lowered under any circumstances and has expressed serious concern about current developments in this direction.²⁷ Given the far-reaching nature of these measures and the lack of thorough consideration, these proposals pose a grave concern.

In 2025, the fast-paced changes to Sweden's migration and asylum framework continued with several legislative acts entering into force. As of 1 April 2025, the statute of limitations for negative decisions in asylum procedures no longer applies if the person who received a negative decision in an asylum case remains in Sweden.²⁸ Previously, the statute of limitations was four years after a final negative decision. This means that undocumented migrants who remain in Sweden, including those who have received an order of deportation, but whose country of origin refuses to accept them, will be forced to live as undocumented with almost no access to basic rights.

At the same time, a government inquiry introduced amendments to the Swedish asylum and migration process.²⁹ The suggested amendments are to be lowered as much as possible without violating the minimum requirements of EU legislation. Some of the most worrying proposals of the inquiry include severely restricting access to public counsel in migration cases by imposing a one-hour limit

26 See, e.g., statements from Unicef Sweden, Legal developments that contravene the Convention on the Rights of the Child (*En rättsutveckling som strider mot barnkonventionen*), <https://unicef.se/vad-vi-gor/paverkan/en-rattsutveckling-som-strider-mot-barnkonventionen>, Bris critical of lowering the age of criminal responsibility to 13 (*Bris kritisk till sänkt straffbarhetsålder till 13 år*), <https://www.bris.se/om-bris/vart-arbete/paverkan/vart-paverkansarbete/bris-kritisk-till-sankt-straffbarhetsalder/> and Save the Children: No to lowering the age of criminal responsibility (*Rädda Barnen: Nej till en sänkning av straffmyndighetsåldern*), 28 January 2025, <https://press.raddabarnen.se/news/raedda-barnen-nej-till-en-saenkning-av-straffmyndighetsaaldern-493182>.

27 Committee of the Rights of the Child, Concluding observations on the combined sixth and seventh periodic reports of Sweden, pp. 44-45, CRC/C/Swe/CO/6-7, 2023.

28 Government of Sweden, *Government proposes measures to ensure that more people with removal orders leave the country*, 28 January 2025, <https://www.government.se/press-releases/2025/01/government-proposes-measures-to-ensure-that-more-people-with-removal-orders-leave-the-country/>. See also, Swedish Migration Agency, *Changed rules for statute of limitations, re-entry ban and track change*, 1 April 2025, <https://www.migrationsverket.se/nyheter/news-archive/2025-04-01-changed-rules-for-statute-of-limitations-re-entry-ban-and-track-change.html>. Link to preparatory works: Statute of limitations on removal decisions and certain issues concerning re-entry bans (*Preskription av avlägsnandebeslut och vissa frågor om återreseförbud*), 23 January 2025, <https://www.regeringen.se/contentassets/d13ca75d5e7f46ab869c689e18a834ef/preskription-av-avlagsnandebeslut-och-vissa-fragor-om-aterreseforbud-prop-20242592/>,

29 Government of Sweden, *Migration and integration*, 30 January 2025, <https://www.government.se/government-policy/the-governments-priorities/migration-and-integration/>.

on assistance from legal counsel, and denying state-funded financial compensation to public counsel if they are present during the client's interview at the Migration Agency. These proposed changes will cause a severe imbalance of power between the Migration Agency and the individual, as well as increasing the risk of serious infringements on fundamental rights, such as access to justice and non-discrimination.

In 2025, another government inquiry proposed the possibility of revoking permanent residence permits already granted to all non-Swedish citizens who have received permanent residence permits with refugee status, subsidiary protection, quota refugees— as well as the few who have received permanent residence permit on the grounds of exceptionally distressing circumstances or impediment to enforcement.³⁰ The permanent residence permit could be replaced by a temporary residence permit, but if not, the main rule will be deportation from Sweden. This inquiry is particularly worrying as it is in stark contrast to international human rights requirements and core principles of Swedish administrative law. The proposal is ostensibly intended to create incentives to become a Swedish citizen,³¹ even though the government has at the same time passed legislation that makes it harder to attain citizenship.

At the end of November 2025, a 1,500-page government inquiry regarding the implementation of the EU Migration Pact was presented.³² Despite the massive changes proposed, the consultation response period only runs through the beginning of January 2026, in stark contrast to the tradition of a lengthy Swedish legislative process with a lengthy consultation response to allow for input from relevant stakeholders. As a result, many civil society organisations will not have the capacity to provide input on the inquiry, although such input is vital for drafting legislative bills that adhere to human rights.

The government must ensure that proposed and implemented legislation is in line with Sweden's international obligations and protects rights enshrined in the European Convention on Human Rights (ECHR) and other international agreements to which Sweden is party. The government must refrain from lowering the age of criminal responsibility.

30 Government of Sweden, Change of permanent residence permit for certain foreign nationals, (*Ändring av permanent uppehållstillstånd för vissa utlänningar*), 26 September 2025, <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2025/09/sou-202599/>.

31 Government of Sweden, *More stringent requirements for Swedish citizenship*, 19 September 2023, <https://www.government.se/press-releases/2023/09/more-stringent-requirements-for-swedish-citizenship/>.

32 Government of Sweden, Migration and Asylum Pact, ('Migrations- och asylpakten'), 24 November 2025, <https://www.regeringen.se/rattsliga-dokument/departementsserien-och-promemorior/2025/11/migrations--och-asylpakten/>.

Implications and Recommendations for 2026

The implications of these omissions are a systemic weakening of the rule of law in Sweden, as insufficient democratic safeguards in the legislative process and shortcomings in court proceedings limit the courts' ability to effectively review legislation, ensure compliance with international and EU law, and protect fundamental rights.

In the 2025 Rule of Law Report, Civil Rights Defenders proposed the following recommendations, which are still relevant today:

- The government must ensure that the constitutionally mandated legislative process – a cornerstone of democracy and rule of law in Sweden – is respected and upheld. Stakeholders in the legislative process, including civil society actors, must be given sufficient time to respond to legislative proposals during the consultation process. Government inquiries must be able to carry out their intended purpose of thoroughly examining and reporting on relevant matters, including understanding the potential consequences of a proposed action, in an objective, neutral manner without external interference.
- The government must ensure that all aspects of the asylum and migration process, including the process for appealing negative decisions by the Migration Agency, adhere to the rule of law and due process principles.
- In order to ensure effective access to justice, the legal aid system must be updated. The requirements for being able to obtain legal aid should be revised in order to make legal aid more accessible for a wider group of people. Court proceedings should be adapted to address the individual needs of persons with disabilities in order for them to be able to enjoy the same conditions as others during the legal process. The limited legal aid system prevents applicants from receiving the support they need to be able to assert their rights.

Suggested recommendations:

Measures should be adopted to ensure that courts, particularly courts of last instance, consistently comply with their obligation to request preliminary rulings from the CJEU when required under Article 267 TFEU.

The government must ensure that proposed and implemented legislation is in line with Sweden's international obligations and protects rights enshrined in the ECHR and other international agreements to which Sweden is party.

The government must refrain from lowering the age of criminal responsibility.

Implementation of Judgments

Implementation of European Court of Human Rights (ECtHR) judgements

During the period between 2020 and 2025 the ECtHR has only found Sweden in active and persistent violation of ECHR in one case. This is the case of *Centrum för rättvisa v. Sweden* in 2021.³³ In June of 2025 the Committee of Ministers found the measures implemented by Sweden as a result of this judgement to be sufficient and decided to close the examination.³⁴ In the case of the FRA-law (signal intelligence law), full implementation of the judgment has thus been achieved.

Centrum för Rättvisa recently released an extensive report on the right to a fair trial within current Swedish legislation and found 494 possible legislative acts whose compliance with the ECHR they question. Notably, of these 494 legislative acts approximately 340 concern governmental decrees (*förordningar*). These in-depth rules are highly represented in the cases before the ECtHR in which Sweden is alleged to be actively violating the right to a fair trial. Swedish public law includes an extensive right to appeal all decisions made by an authority in the main administrative legislation.³⁵ This right is unfortunately compromised by case law from the national supreme court and exceptions in *lex specialis*, such as these governmental decrees. This goes to show that previous judgments from ECtHR as well as the articles in ECHR have not been fully implemented. The judgments finding Sweden in violation of the right to a fair trial pose complex and structural demands for reform of the Swedish administrative law system to reach full implementation.

33 HUDOC – *European Court of Human Rights Case Law Database*. Search query filtered for Sweden as respondent, Grand Chamber and Chamber judgments, violations under Articles 2, 3, 5, 6, 8, 10, 11, 13, 14, P1-1, P7-4, for the last five years. <https://hudoc.echr.coe.int/eng>, (Accessed 19 February 2026).

34 Resolution CM/ResDH (2025)135 Execution of the judgment of the European Court of Human Rights *Centrum för rättvisa* against Sweden, adopted by the Committee of Ministers on 12 June 2025 at the 1531st meeting of the Ministers' Deputies, (Accessed 18 February 2026).

35 Förvaltningslagen SFS § 40-49 (2017:900).

Implementation of CJEU judgements

Since 2001, Sweden has committed 30 infringements of EU law, three of which occurred in the past five years.³⁶ In Case C-22/20 (2021), addressing Sweden's incorrect application of the Urban Waste Water Treatment Directive, Sweden undertook corrective measures to implement the Directive, and the Commission closed the infringement in 2023.³⁷ In Case C-353/22 (2023), regarding the Council Directive on the control of the acquisition and possession of weapons, Sweden was found to have failed to fulfil its obligations. Sweden subsequently completed the transposition, which the European Commission accepted. In Case C-822/21 (2024), concerning the Deposit Guarantee Scheme Directive, the CJEU found that Sweden had misinterpreted a provision of the Directive although Sweden had incorporated the Directive.³⁸ However, the Commission has not initiated any non-compliance proceedings under Article 260 TFEU since the judgement.

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- 36 EUR-Lex, Case-Law database: search query filtered for Sweden as respondent, judgements only, and infringement proceedings, for the period 1 January 2001 to 18 February 2026, https://eur-lex.europa.eu/search.html?partiesDefendantMemberState=SWE&def=true&partiesDefendant-Status=MEMBER_STATE&DB_MEMBER_DEFENDANT=SWE&SUBDOM_INIT=EU_CASE_LAW&DB_TYPE_OF_ACT=judgment&DTS_SUBDOM=EU_CASE_LAW&typeOfActStatus=JUDGMENT&type=advanced&date0=ALL%3A01012001%7C18022026&qid=1771580151102&PR_CODED=-CONS*&DTS_DOM=EU_LAW&lang=sv, (Accessed 19 February 2026).
- 37 Naturvårdsverket, Information on infringement cases against Sweden, <https://www.naturvardsverket.se/amnesomraden/avlopp/aktuellt/information-om-overtradelsearenden-mot-sverige/>, (Accessed 18 February 2026).
- 38 Swedish Deposit Guarantee Act (1995:1571), Section 14, P3.

ANTI-CORRUPTION FRAMEWORK

General assessment

In 2025, the government committee of inquiry published its findings which include key proposals addressing the Commission's recommendations. Among these are measures expanding corporate liability, addressing transparency in lobbying, and clarifying legal definitions with the goal of improving enforcement. The government's report was open for stakeholder input until November 2025. Based on the input received, the government will prepare draft legislation for Parliament's approval; however, this new legislation is not expected to enter into force until 2027.³⁹

As such, we see that some progress has been made in this area.

39 Setterwalls, *Sweden's Proposed Overhaul of Anti-Corruption Legislation: Key Takeaways from the Swedish Government's Official Report (SOU 2025:87)*, 4 September 2025, <https://setterwalls.se/en/article/swedens-proposed-overhaul-of-anti-corruption-legislation-key-takeaways-from-the-swedish-governments-official-report-sou-202587/>; see also, OECD, *Integrity Review of Sweden*, OECD Public Governance Reviews, 30 September 2025, https://www.oecd.org/en/publications/oecd-integrity-review-of-sweden_648d3988-en/full-report/public-governance-integrity-and-unlawful-influence-in-sweden_845502c1.html#:~:text=As%20a%20result%2C%20the%20Swedish,sector%20to%20their%20own%20ends.

Implementation of 2025 Commission recommendations

Recommendation: Strengthen the fight against foreign bribery, including through amending the existing legal framework and improving enforcement (first made in 2022)

In 2025, the government committee of inquiry published its findings,⁴⁰ which include key proposals to expand corporate liability, address transparency in lobbying, and clarify legal definitions with the aim of improving the likelihood of enforcement. The government's report was open for stakeholder input until November 2025. Based on the input received, the government will prepare draft legislation for Parliament's approval. This new legislation is not expected to enter into force until 2027.⁴¹

In 2025, the government committee of inquiry published its findings, which include measures to address transparency in lobbying. Based on the input received, the government will prepare draft legislation for Parliament's approval. This new legislation is not expected to enter into force until 2027.⁴²

We do not see that an additional recommendation is necessary at this time.

Commission's 2025 assessment: Some progress **Civil Rights Defenders' current assessment: In progress (initial steps)**

40 Government of Sweden, Criminal law measures against corruption and misconduct in office, ('*Straffrättsliga åtgärder mot korruption och tjänstefel*'), SOU 2025:87, <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2025/07/sou-202587/>.

41 Setterwalls, *Sweden's Proposed Overhaul of Anti-Corruption Legislation: Key Takeaways from the Swedish Government's Official Report (SOU 2025:87)*, 4 September 2025, <https://setterwalls.se/en/article/swedens-proposed-overhaul-of-anti-corruption-legislation-key-takeaways-from-the-swedish-governments-official-report-sou-202587/>; see also, OECD, *Integrity Review of Sweden*, OECD Public Governance Reviews, 30 September 2025, https://www.oecd.org/en/publications/oecd-integrity-review-of-sweden_648d3988-en/full-report/public-governance-integrity-and-unlawful-influence-in-sweden_845502c1.html#:~:text=As%20a%20result%2C%20the%20Swedish,sector%20to%20their%20own%20ends.

42 Setterwalls, *Sweden's Proposed Overhaul of Anti-Corruption Legislation: Key Takeaways from the Swedish Government's Official Report (SOU 2025:87)*, 4 September 2025, <https://setterwalls.se/en/article/swedens-proposed-overhaul-of-anti-corruption-legislation-key-takeaways-from-the-swedish-governments-official-report-sou-202587/>; see also, OECD, *Integrity Review of Sweden*, OECD Public Governance Reviews, 30 September 2025, https://www.oecd.org/en/publications/oecd-integrity-review-of-sweden_648d3988-en/full-report/public-governance-integrity-and-unlawful-influence-in-sweden_845502c1.html#:~:text=As%20a%20result%2C%20the%20Swedish,sector%20to%20their%20own%20ends.

Recommendation: Ensure the appropriate follow-up to the evaluation of the rules on revolving doors (first made in 2023)

In 2025, the government committee of inquiry published its findings, which include measures to address transparency in lobbying. Based on the input received, the government will prepare draft legislation for Parliament's approval. This new legislation is not expected to enter into force until 2027.⁴³

The government should develop rules regarding revolving doors that cover top executive functions in the government.

Commission's 2025 assessment: Some progress Civil Rights Defenders' current assessment: In progress (initial steps)

Implications and Recommendations for 2026

Recommendation: Strengthen the fight against foreign bribery, including through amending the existing legal framework and improving enforcement

Recommendation: Ensure the appropriate follow-up to the evaluation of the rules on revolving doors

43 Setterwalls, *Sweden's Proposed Overhaul of Anti-Corruption Legislation: Key Takeaways from the Swedish Government's Official Report* (SOU 2025:87), 4 September 2025, <https://setterwalls.se/en/article/swedens-proposed-overhaul-of-anti-corruption-legislation-key-takeaways-from-the-swedish-governments-official-report-sou-202587/>; see also, OECD, *Integrity Review of Sweden*, OECD Public Governance Reviews, 30 September 2025, https://www.oecd.org/en/publications/oecd-integrity-review-of-sweden_648d3988-en/full-report/public-governance-integrity-and-unlawful-influence-in-sweden_845502c1.html#:~:text=As%20a%20result%2C%20the%20Swedish,sector%20to%20their%20own%20ends.

MEDIA ENVIRONMENT AND MEDIA FREEDOM -

General assessment

The situation for Sweden as described in the 2025 Rule of Law Report has not changed significantly, either for the better or for the worse. Sweden continues to maintain its long-standing tradition of press freedom as well as strong legal protections for journalism and media. However, the concerns previously described remain unchanged: concentration of ownership, challenges to ensuring sustainable adequate funding for public service media, and proposed legislation (especially within the areas of national security and criminal policy) that risks restricting access to public information and impacting freedom of the press and journalistic integrity.

Implementation of 2025 Commission recommendations

There were no recommendations in this area in the Commission's 2025 Rule of Law Report.

Gaps in the Commission's Report

New surveillance and espionage laws threatening source protection and press freedom

Recent legislation granting expanded surveillance powers to Swedish authorities has raised concerns that this could affect journalists' ability to guarantee the anonymity of sources.⁴⁴

Additional legislation related to national security created new criminal offences, including foreign espionage, aggravated foreign espionage, and disclosing secret information in international cooperation. This has raised concerns that this legislation will negatively impact freedom of communication and journalistic integrity by limiting whistleblower protections and journalistic immunities.⁴⁵

44 Swedish Union of Journalists (Svenska Journalistförbundet), Protect source protection – stop FRA's domestic signals intelligence ('Skydda källskyddet – stoppa FRA:s inhemska signalspaning'), 9 December 2024, <https://www.sjf.se/aktuellt/202412/skydda-kallskyddet-stoppa-fras-inhemska-signalspaning>.

45 Swedish Union of Journalists (Svenska Journalistförbundet), Legislative proposals that could make your job more difficult ('Lagförslagen som kan försvåra ditt jobb'), 7 April 2025, <https://www.sjf.se/aktuellt/202504/lagforslagen-som-kan-forsvara-ditt-jobb>; European Centre for Press and Media Freedom, Mapping Media Freedom, *New "foreign espionage" law in Sweden sparks concerns for media freedom*, 16 November 2022, <https://www.mapmf.org/alert/25336>.

Implications and Recommendations for 2026

New surveillance and espionage laws threatening source protection and press freedom

The use of national security concerns as grounds for expanding government authority, including surveillance powers, and introducing harsher measures that risk infringing on civil liberties has been seen in other areas such as criminal policy and migration. Given this concerning trend, the Commission should flag any potential risks to freedoms, including freedom of the media, to signal to the government that it has noticed and is monitoring these areas. By not doing so, it enables these serious concerns to go unaddressed.

Recommendation: We would resubmit the recommendation made in 2025: The government should ensure that proposed and existing legislation does not restrict access to public information or impact freedom of the press or journalistic integrity.

CHECKS AND BALANCES

General assessment

The backsliding has become entrenched and requires urgent action. Concerning trends first flagged in earlier reports have turned into systematic restrictions on fundamental rights and freedoms – most notably the freedoms of assembly and of expression. Legislative proposals flagged earlier as warning signs of a shift toward increasingly harsh criminal and migration policies have now been implemented, and even more stringent legislation has been proposed, including the penal law reform, the lowering of the age of criminal responsibility, changes to the statute of limitations for asylum applications, the introduction of harsher requirements for obtaining a residence permit, and the weakening of the protections attached to permanent residence permits and citizenship. With civil society increasingly sidelined in the democratic legislative process and struggling to overcome cuts to funding and ever-shrinking civic space, it is unfortunately likely that these trends will continue if not checked. These concerns weaken the rule of law by reducing accountability and checks on power: when civil society is sidelined and consultations are rushed, laws are developed and implemented with less scrutiny and democratic legitimacy. Restrictions on protest, expression, and association undermine equal application of the law and chill lawful dissent, a core safeguard against abuse of power. Funding cuts and hostile rhetoric toward NGOs weaken independent watchdogs,⁴⁶ while expanded surveillance,

46 Regarding funding cuts, see, e.g., From one billion to zero kronor in funding for the Islamic aid organisation ('Från en miljard till 0 kronor i bidrag för islamiska biståndsorganisationen'), 20 January 2026, <https://www.expressen.se/nyheter/sverige/fran-en-miljard-till-0-kronor-i-bidrag-for-islamiska-bistandsorganisationen/>, The Swedish National Council for Adult Education decides not to grant Kista Folk High School a state subsidy ('Folkbildningsrådet beslutar att inte bevilja Kista folkhögskola statsbidrag'), 11 December 2025, <https://folkbildningsradet.se/aktuellt-och-projekt/nyheter/nyhetsarkiv-2025/folkbildningsradet-beslutar-att-inte-bevilja-kista-folkhogskola-statsbidrag/>, and Funding for feminist men's group halted – by the Gender Equality Authority ('Bidrag till feministiska Män stoppas – av Jämställdhetsmyndigheten'), 3 February 2026, <https://www.etc.se/inrikes/bidrag-till-feministiska-maen-stoppas-av-jaemstaelldhetsmyndigheten>. In terms of hostile rhetoric toward NGOs see for example, DN Debate. "We have been naive and cowardly in the face of the threat from Islamism." ('DN Debatt. "Vi har varit naiva och fega inför hotet från islamism"'), 18 February 2026, <https://www.dn.se/debatt/vi-har-varit-naiva-och-fega-infor-hotet-fran-islamism/>

such as enhanced mandates to use preventative coercive secret surveillance measures,⁴⁷ and fast-track criminal measures risk legal uncertainty and disproportionate enforcement, eroding trust that laws are fair, predictable, and rights-based.

Implementation of 2025 Commission recommendations

There were no recommendations in this area in the Commission's 2025 Rule of Law Report.

Gaps in the Commission's Report

Restrictions to freedom of association and assembly

The Commission did not make any recommendations relating to civic space, despite this being the area of greatest concern in recent years, in particular relating to shrinking civic space and restrictions on the freedoms of association and assembly.

In recent years, the right to freedom of assembly has been increasingly restricted in Sweden. Environmental defenders, people who protest in solidarity with Palestine, and non-Swedish citizens have been particularly negatively impacted.⁴⁸ The restrictions take the form of disproportionate criminal sanctions, new legislation, and police intervention in protests based on migration-related grounds. It is exacerbated by a narrative and political discourse surrounding people who protest, which impacts them negatively. The previous Rule of Law Report described how the criminal provision of sabotage, as stipulated in section 4, chapter 13 of the Swedish Criminal Code, had been increasingly used against climate activists engaging in peaceful acts of civil disobedience.⁴⁹ This development has had

47 Government of Sweden, Act amending the Act (2007:979) on measures to prevent certain particularly serious crimes (*Lag om ändring i lagen (2007:979) om åtgärder för att förbindra vissa särskilt allvarliga brott (SFS 2024:560)*), 2 July 2024, <https://www.xn--svenskfrfattningssamling-roc.se/sites/default/files/sfs/2024-06/SFS2024-560.pdf>; Government of Sweden, Act on the continued validity of the Act (2020:62) on secret data interception and amendments to the same Act (*Lag om dels fortsatt giltighet av lagen (2020:62) om hemlig dataavläsning, dels ändring i samma lag (SFS 2025:123)*), 4 March 2025, <https://www.xn--svenskfrfattningssamling-roc.se/sites/default/files/sfs/2025-02/SFS2025-123.pdf>.

48 See e.g. Arbetaren, Lawyer speaks out against government's move: "Demonstrate more!" (*Advokaten ryter ifrån mot regeringens utspel: "Demonstrera mera!"*) 10 October 2025, <https://www.arbetaren.se/2025/10/10/advokaten-ryter-ifran-mot-regerings-utspel-demonstrera-mera/>, and Arbetaren, Freedom of demonstration is being eroded from two sides (*Demonstrationsfriheten äts upp från två håll*), 7 January 2025, <https://www.arbetaren.se/2025/01/07/demonstrationsfriheten-ats-upp-fran-tva-hall/>

49 Liberties Rule of Law Report 2025, pp. 1011-1013, <https://www.liberties.eu/f/vdxw3e>.

a chilling effect, as the risk of imprisonment and high fines discourages people from exercising their right to engage in acts of peaceful civil disobedience.⁵⁰ The practice of prosecuting protesters for the crime of sabotage has garnered criticism from legal academia and human rights groups.⁵¹ However, in 2025 the Swedish Supreme Court ruled that a roadblock carried out by climate activists did not amount to sabotage.⁵² The Supreme Court stated that when applying the penal provision in Chapter 13, section 4 of the Swedish Penal Code to actions during a demonstration or other expressions of opinion, consideration must be given to the freedom of assembly and freedom of expression and that it must be taken into account that the risk of imprisonment due to participation in a peaceful demonstration can have a chilling effect. While this is a positive development, Civil Rights Defenders fears that the trend of using criminal sanctions as a threat continues.⁵³

The increasing repression against persons engaging in peaceful protests has been coupled with a narrative and political discourse that portrays peaceful protesters as a threat to democracy. Examples from 2025 include a parliamentary group leader calling protesters ‘beasts’ in a tweet that was then shared by the Swedish Minister of Foreign Affairs, and the chairperson of the youth section of the Moderate Party writing an op-ed arguing that it must be possible to punish and deport pro-Palestinian protesters and suggesting a new criminal provision called ‘disturbing of democracy’.⁵⁴

50 See, e.g., Michel Forst, UN Special Rapporteur on Environmental Defenders expressing his concerns about chilling effects in Sweden: UN criticizes Sweden’s actions against climate activists (*FN kritiserar Sveriges agerande mot klimataktivister*), 5 March 2025, <https://www.dn.se/sverige/fn-chef-kritiserar-sveriges-agerande-mot-klimataktivister-djupt-oroad/>

51 E.g. Civil Rights Defenders JO-anmäler Polisen - Civil Rights Defenders, 27 May 2025, <https://crd.org/sv/2025/05/27/civil-rights-defenders-jo-anmaler-polisen/>, and Mary Lawlor, UN Special Rapporteur on Human Rights Defenders, expressing concern about Sweden: Harsh criticism from the UN: “Developments in Sweden are shocking” (*Hårda FN-kritiken: ”Utvecklingen i Sverige är chockerande”*) 12 December 2025, <https://www.aftonbladet.se/nyheter/a/V6RXI1/harda-fn-kritiken-utvecklingen-i-sverige-ar-chockerande>, and Supreme Court Justice Thomas Bull’s regarding increased repression against climate activists, Civil olydnad eller sabotage? (*Civil olydnad eller sabotage?*), 5 July 2024, <https://www.amnestypress.se/artiklar/reportage/27126/civil-olydnad-eller-sabotage/>.

52 Sweden Herald, Supreme Court Acquits Climate Activists in E4 Blockade Case, 9 July 2025, <https://swedenherald.com/article/supreme-court-acquits-e4-climate-activists-of-sabotage>.

53 See below under “New issues in 2025”.

54 SVT Nyheter, *Stenergård doesn’t back down: ‘Exercising my freedom of expression’* (*Stenergård backar inte: ”Utnyttjar min yttrandefrihet.”*) 18 September 2025, <https://www.svt.se/nyheter/inrikes/stenergard-backar-inte-utnyttjar-min-yttrandefrihet>; DN Debatt, Palestine protesters must be able to be punished and deported (*Palestinademonstranterna måste kunna straffas och utvisas*), 14 October 2025, <https://www.dn.se/debatt/palestinademonstranterna-maste-kunna-straffas-och-utvisas/>.

Restrictions to the freedom of religious organisation and practice

As noted in the 2025 Rule of Law Report, the discriminatory treatment of religious and ethnic organisations continues, further shrinking these organisations' access to public spaces. This year, the Swedish Institute for Human Rights published a report about the vulnerability of Muslim congregations and associations to Islamophobia. A recurring theme in the interviews conducted by the Institute was that it has become increasingly difficult for Muslim congregations and associations to operate in Sweden. The difficulties range from practical conditions, such as access to meeting locations, to exposure to hate and threats. Since the majority of Swedish Civil Society Organizations (CSOs) in practice rely on public funding, the withdrawal of such in effect forces them to 'voluntarily' dissolve. In June 2024, the Swedish Parliament voted to pass a bill introducing a 'democracy requirement' for civil society organisations and faith-based communities to be eligible for public funding.⁵⁵ The adopted legislation entered into force on 1 January 2025.⁵⁶ The requirement that an organisation does not "violate the principles of equality and non-discrimination" or "in other ways counteract the democratic system of governance" is broad and vague in its wording and, as stated in the previous Rule of Law Report, risks disproportionately targeting ethnic, minority or religious organisations.⁵⁷

In December 2025, the government announced that a 'democracy requirement' would be introduced for adult education from 2026.⁵⁸ The requirement will apply to independent adult education colleges and study associations when they receive public funding. In December 2025, the Swedish National Council of Adult Education, the entity responsible for distributing state grants to adult education colleges (*folkhögskolor*) and adult education associations (*studieförbund*) announced its decision to

55 Proposal 2023/24:119 State support for religious communities and civil society – uniform and legally secure conditions (*Proposition 2023/24:119 Statens stöd till trossamfund och civilsambället – enbetyliga och rättssäkra villkor*) 3 April 2024, <https://www.regeringen.se/rattsliga-dokument/proposition/2024/04/prop-202324119/>.

56 According to the bill, CSOs or faith-based communities will be prohibited from receiving public funding if they, either themselves as legal entities or through any of their representatives, (1) exercise violence, coercion or threaten other persons or otherwise violate the fundamental rights and freedoms of persons, (2) discriminate against individuals or groups of individuals or otherwise violate the principles of equality or non-discrimination, (3) defend, promote or incite any of the previous categories of actions or (4) in other ways 'counteract' the democratic system of governance. CSOs or faith-based communities that are found to have violated any of these conditions might be further liable to pay back previously granted public funding retroactively. See the 2025 Rule of Law Report for additional background.

57 *Liberties Rule of Law Report 2025*, p. 1008.

58 Government of Sweden, The government tightens requirements for state subsidies for adult education (*Regeringen skärper kraven för statsbidraget till folkbildningen*), 11 December 2025, <https://www.regeringen.se/pressmeddelanden/2025/12/regeringen-skarper-kraven-for-statsbidraget-till-folkbildningen/>.

revoke state funding for Kista Folkhögskola starting January 2026.⁵⁹ Kista Folkhögskola is Sweden's only community high school with a Muslim profile. The school was found not to meet fundamental conditions for receiving state funding, such as conveying and anchoring respect for human rights and for fundamental democratic values. The decision has been met with criticism from teachers and students at the school, who do not agree with the picture that the Council of Adult Education has painted of the institution.⁶⁰

In December 2025, the Swedish International Development Cooperation Agency (Sida) decided to stop all new grants to Islamic Relief Sweden (IRS) following an in-depth investigation conducted by the Swedish Center for Preventing Violent Extremism. The reason being that the organisation was deemed not to meet the requirements intended to ensure that there are no links to violent extremism or anti-democratic activities. Sida has however emphasised that nothing has emerged to indicate that IRS or its member organisations' actual activities are anti-democratic or violent extremist in and of themselves, or that the current board exercises such influence over IRS's operations. Sida further stressed that there are no grounds for assuming that the current board has any links to violent extremism or anti-democratic environments, but that there are individuals holding positions within the organisation who may be considered to have such links. There is also, according to Sida, no reason to assume that IRS has breached the terms the current agreement or that any of Sida's disbursed funds have been used for activities that are anti-democratic or involve violent extremism.⁶¹ Sida's decision has garnered criticism for lacking legal certainty and transparency and relying on vague definitions. The process placed an impossible burden of proof on the organisation, requiring it to demonstrate the absence of any risk, thus making the decision disproportionate and detrimental to the broader civic

59 Folkbildningsrådet, The Swedish National Council of Adult Education decides not to grant Kista Folk High School a state subsidy (*Folkbildningsrådet beslutar att inte bevilja Kista folkhögskola statsbidrag*), 11 December 2025, <https://folkbildningsradet.se/aktuellt-och-projekt/nyheter/nyhetsarkiv-2025/folkbildningsradet-beslutar-att-inte-bevilja-kista-folkhogskola-statsbidrag/>.

60 Olle Bergvall, Dagens Arena, *Teachers at Kista Folkhögskola critical of withdrawn state grant* (*Lärare på Kista folkhögskola kritiska mot indraget statsbidrag*), 18 December 2025, <https://www.dagensarena.se/innehall/larare-pa-kista-folkhogskola-kritiska-mot-indraget-statsbidrag/>; Mitt i Stockholm, *Large demonstration for the folk high school's survival* (*Stor demonstration för folkhögskolans överlevnad*), 11 November 2025, <https://www.mitti.se/nyheter/stor-demonstration-for-folkhogskolans-overlevnad-6.3.329646.a86daeb4f5>.

61 Expressen, *Islamic Relief får indraget miljonbidrag: Islamic Relief loses million-dollar grant: "Precautionary principle"* (*Islamic Relief får indraget miljonbidrag: "Försiktighetsprincip"*), 20 January 2026, <https://www.aftonbladet.se/nyheter/a/y5RjqK/islamic-reliefs-bistand-dras-in>

space.⁶² This forms part of a broader and worrying pattern in which Muslim civil society organisations are singled out, judged on vague allegations or perceived risks rather than facts, and thereby exposed to discriminatory treatment that undermines the civic space of Muslim communities in Sweden.

New Issues that Emerged in 2025

Protest arrests displaying discrimination based on nationality and ethnicity

Sweden saw increasing restrictions on freedom of assembly in 2025, as police used severe or legally questionable measures, including charges meant for emergency-service disruption, detentions, deportations, and re-entry bans, against peaceful protesters. This trend causes a chilling effect and has disproportionately affected non-citizens and racialised individuals, with several cases suggesting that police actions lacked proper legal basis and were used to deter political participation.

During 2025, the shrinking of civic space has continued to be noticeable with regards to freedom of assembly. As the Police Authority dissolved a Pro-Palestinian student encampment in Sweden, three of the activists were accused of committing ‘sabotage against emergency services’ (sabotage mot blåljusverksamhet) which is a relatively new offence.⁶³ Sabotage of emergency services is a serious offence with a penalty scale carrying several years of imprisonment, with prerequisites that were already heavily criticised for their ambiguity and disproportionality during the drafting of the legislation. The offense was furthermore never intended to be used against protesters. The charges were later dropped before the case reached the trial stage but still amounted to a serious chilling effect.⁶⁴ Despite addressing this in a complaint to the Parliamentary Ombudsman in 2025, an investigation was never initiated.⁶⁵

62 Anna Ardin, DN Debatt ”Beslutet mot Islamic Relief bygger på fördomar, inte fakta”, available at <https://www.dn.se/debatt/beslutet-mot-islamic-relief-bygger-pa-fordomar-inte-fakta/>, Svenska Dagbladet Debatt, ”Är Sidans beslut rättssäkert?“, <https://www.svd.se/a/V69BBd/islamic-relief-sverige-ar-sidas-beslut-rattssakert-fragar-debattorer>.

63 See SVT Nyheter Emily arrested for blue light sabotage in Lund: “Trying to cast suspicion on me” (*Emily greps för blåljussabotage i Lund: ”Försöker misstänkliggöra mig”*), 5 June 2024, <https://www.svt.se/nyheter/lokalt/skane/emily-greps-for-blaljussabotage-i-lund-forsoker-misstankliggora-mig> and Swedish Criminal Code Chapter 12 Section 12. (Act 2019:1162).

64 See SVT Nyheter, Emily was arrested for blue light sabotage – now all charges have been dropped (*Emily greps för blåljussabotage – nu är alla misstankar avskrivna*), 9 September 2024, <https://www.svt.se/nyheter/lokalt/skane/emily-greps-for-blaljussabotage-nu-ar-alla-misstankar-avskrivna>

65 Civil Rights Defenders, *Parliamentary Ombudsman files complaint against police* (‘JO anmäler polisen’), <https://crd.org/sv/2025/05/27/civil-rights-defenders-jo-anmalar-polisen/#:~:text=Civil%20Rights%20Defenders%20anser%20att,pr%C3%B6va%20om%20polisen%20agerat%20korrekt>.

This trend disproportionately affects individuals that do not have Swedish citizenship and/or are racialised as non-white. An example is a German citizen studying in Sweden and who was active in the student encampments of 2024. He was later sentenced to the minor crime of ‘disobedience against public authority’ with fines as penalty.⁶⁶ In 2025, during a visit to Sweden, he attempted to attend a counter-protest against a neo-Nazi march. He was stopped by the police and put into detention and later deported back to Germany, as the police assessed him to be a serious threat against national security. The deportation order was also combined with a five-year re-entry ban.⁶⁷

At the same counter-protest, the police also apprehended eight individuals on the grounds that they were unlawfully in Sweden and posed a threat to public order and security.⁶⁸ In doing so, the police referred to a section of the police law to claim a legal basis for apprehension that can be utilised in particular cases; for example if they have an arrest warrant for the individuals. To date, however, there have not been any indications that these were lawful apprehensions and should be seen as another way of deterring individuals from exercising the freedom of assembly.

Another German citizen residing and working in Sweden with permanent right of residence has received a deportation decision based on his climate activism.⁶⁹ He has conducted civil disobedience and has in relation to this been convicted of the minor sentence ‘disobedience against public authority’ with fines in its penalty scale. During 2025, he was apprehended by the police and put in detention and later received a deportation order based on the police deeming him a serious threat to national security.⁷⁰

66 Sweden’s Criminal Code, Chapter 16 Section 3 (1962:700), The Swedish Criminal Code, <https://www.government.se/contentassets/7a2dcae0787e465e9a2431554b5eab03/the-swedish-criminal-code.pdf>

67 Kalle Kniivilä, Sydsvenskan, 12 December 2025, *Police force German protester from Palestinagård to leave Sweden* (‘Polisen tvingar tysk demonstrant från Palestinagård att lämna Sverige’) <https://www.sydsvenskan.se/lund/polisen-tvingar-tysk-demonstrant-fran-palestinagard-att-lamna-sverige/>.

68 Polismyndigheten, 06 December 18:30, *Police operation/deployment, Södertälje* (‘06 december 18.30, Polisinsats/kommendering, Södertälje’), <https://polisen.se/aktuellt/handelser/2025/december/6/06-december-18.30-polisinsatskommendering-sodertalje/>.

69 SVT Nyheter, *After climate actions: Lund researcher David faces deportation* (‘Efter klimataktionerna: Lundaforskaren David riskerar utvisning’), 1 November 2025, <https://www.svt.se/nyheter/lokalt/skane/efter-klimataktionerna-lundaforskaren-david-riskerar-utvisning>.

70 See Police urge: Deport researcher David – “Poses a threat” (‘David Alcer rsikerar att utvisas – efter sin klimataktivism’), 24 November 2025, <https://www.aftonbladet.se/nyheter/a/k0WwlQ/david-alcer-rsikerar-att-utvisas-efter-sin-klimataktivism>.

Implications and Recommendations for 2026

Civil society organisations, adult education, and peaceful protests are all essential parts of a healthy democracy, and the developments described are part of a worrying trend of continuously shrinking civic space in Sweden. If these developments are not checked, further legislation restricting civil rights is likely to be implemented, with the government escaping scrutiny. Failure to address them will result in the rule of law being further undermined. When civil society is sidelined and consultations are rushed, laws are developed and implemented with less scrutiny and democratic legitimacy. Restrictions on protest, expression, and association undermine equal application of the law and chill lawful dissent, a core safeguard against abuse of power. Funding cuts and hostile rhetoric toward NGOs weaken independent watchdogs, while expanded surveillance and fast-track criminal measures risk legal uncertainty and disproportionate enforcement, eroding trust that laws are fair, predictable, and rights-based.

Freedom of assembly

Recommendation: The government, particularly judicial and law enforcement authorities, must promote and uphold the rights to freedom of association and assembly. This includes abstaining from enacting legislation that in effect criminalises peaceful protests.

Recommendation: The government must demonstrate its commitment, through actions and rhetoric, to ensuring a robust civil society by, among other things, safeguarding access to stable public funding.

Recommendation: The government must ensure equal treatment of civil society organisations and adhere to national anti-discrimination laws in this respect, especially with regards to Muslim civil society organisations.

Immigration

Recommendation: Swedish authorities should refrain from utilizing border control and immigration tools to prohibit participation by non-Swedish citizens in peaceful protests.

Recommendation: Adhere to the high threshold of deeming non-Swedish citizens as a serious threat against national security and public order.

CONTACTS

Civil Rights Defenders

Civil Rights Defenders is a politically and religiously independent international human rights organisation. Its mission is to defend civil and political rights, as well as local human rights defenders by increasing their security, capacity, and access to justice. We work as part of a global movement of human rights defenders and partner with those at risk. Through legal means and public advocacy, we hold states, individuals, and non-state actors accountable for human rights violations. We advocate for the norms and values of the International Covenant on Civil and Political Rights and other relevant human rights standards, as we encourage people to use these rights to promote democratic societies.

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The Civil Liberties Union for Europe

The Civil Liberties Union for Europe (Liberties) is a non-governmental organisation promoting the civil liberties of everyone in the European Union. We are headquartered in Berlin and have a presence in Brussels. Liberties is built on a network of 24 national civil liberties NGOs from across the EU.

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