



A Handbook for Asylum Seekers in Sweden

Ginbot Abraha



ASYLUM RECEPTION IN FOCUS

A series from NTN-asylum & integration

No. 5 | 2007



WHAT IS THE NATIONAL THEMATIC NETWORK ASYLUM & INTEGRATION?

The National Thematic Network Asylum & Integration (NTN Asylum) is a project co-financed by the European Social Fund, the Swedish National Labour Market Board, the Swedish Integration Board and the Swedish Migration Board. By bringing together and putting the magnifying glass on examples of good practices and project experiences and results springing from the Community Initiative EQUAL, the European Refugee Fund and other relevant research and development activities, NTN Asylum's objective is to improve relevant systems and policies and to promote greater knowledge and awareness on issues of relevance to the reception and integration of asylum seekers and refugees. More information can be found on NTN Asylum's website:

www.temaasyl.se



EQUAL is a European Community Initiative whose purpose is to counter discrimination and exclusion on the labour market. Project activities under EQUAL's asylum theme aim to improve the situation of asylum seekers during the period they wait for a decision on their asylum application by putting in place more effective measures for social and vocational integration and re-integration.



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Foreword

There is a real need among asylum seekers in Sweden for information in the form of a handbook that covers *both aspects of the Swedish asylum process*, namely the processing of asylum claims and the asylum reception. The information which exists today is primarily the product of the government – i.e. the Swedish Migration Board. And though a number of NGOs also provide information and support to asylum seekers, it is restricted to the limited scope of their respective fields of activity.

The National Thematic Network Asylum & Integration (NTN Asylum), funded by the European Social Fund/Equal, has previously published a report on asylum seekers' social and economic rights – *En värdig levnadsstandard* (*A dignified standard of living*). The report gives an account of asylum seekers' rights under international law, European Union law and national law. Examples of relevant national law are taken from the United Kingdom and Finland.

The *Handbook for Asylum Seekers* is written by Ginbot Abraha, former chairman of AEASS – Association for Eritrean Asylum Seekers in Sweden (since 2005 EDHR – Eritreans for Democracy and Human Rights). Ginbot Abraha has also previously produced a report for the NTN Asylum, entitled *Av egen kraft* (*On One's Own*). It is a highly interesting account of the growth and activities of AEASS, a unique and successful target group driven organisation providing support and counselling service by and for asylum seekers.

The experiences of AEASS in delivering social support and counselling to asylum seekers have proven instrumental to being able to put together this handbook. Ginbot Abraha himself has personal experience as an asylum seeker in Sweden. The handbook responds to what asylum seekers themselves have been asking for, namely information on their rights and obligations as asylum seekers in Sweden. The handbook is the latest link in a logical chain of publications produced by NTN Asylum on asylum seekers social and economic rights and on asylum seekers' empowerment and self-organisation.

Christian Råbergh
National Co-ordinator
NTN Asylum & Integration

Preface

Dear asylum seeker,

This handbook aims at giving you basic information related to your stay as an asylum seeker in Sweden. The need for such a handbook arises from the fact that when you come to a country as an asylum seeker you face a new reality. The availability of correct information relevant to your asylum request, including rules and regulations, cultural behaviour, traditions, mannerisms and many other things you need to know to get by day to day is a key to making your stay as pleasant and productive as possible.



- What happens in the asylum seeking process?
- How can I find work?
- Can my children go to school?
- What if I need health care?

You probably ask yourself these and other questions during your asylum period.

In the following pages of this handbook, I would like to share with you information that I think is important from an asylum seeker's point of view. I share with you what I have learned from my own experiences as a former asylum seeker as well as those of others I have come in contact with.

Some of the information might not entirely reflect what the Swedish authorities will tell you. Nevertheless, I think it is important to speak frankly and openly. The people who assigned me to write this handbook wanted me not to repeat the official picture but instead to teach you useful things that will guide you and help you in managing your situation as an asylum seeker in Sweden.

I also provide you with useful addresses and contact details.

Stockholm, September 2007

Ginbot Abraha

Email: gahiyabu@yahoo.co.uk



Photo: Swedish Migration Board

Asylum

www.migrationsverket.se

DEFINITIONS

What is asylum (*asyl*)?

Article 14 of the Universal Declaration of Human Rights (1948) states that “Everyone has the right to seek and to enjoy in other countries asylum from persecution.” An asylum seeker hence is a person who has left his country and sought asylum in another country and who is still waiting for a decision on his application for asylum. The right to seek asylum, however, does not necessarily imply that the person has an absolute right to get asylum. Eligibility is determined after undergoing a careful investigation of the applications submitted by the asylum seekers. Asylum seekers are different from economic migrants.

Who is a refugee (*flykting*)?

Article 1 (A) of the 1951 Convention relating to the status of Refugees states that a refugee is any person who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country...”

This article is implemented in the Swedish Aliens Act, and a person satisfying these criteria is called a convention refugee. Sweden has also added sex and sexual disposition as ground for granting refugee status.

A refugee is also someone who is stateless and who, for the same reason, is outside the country of his or her habitual residence and who is unable or unwilling to return due to such fear as stated above.

Who needs protection (*skyddsbehövande*)?

According to the Swedish Aliens Act, persons who are found not to be “convention” refugees under the 1951 Refugees Convention may qualify for subsidiary protection under a category known as ‘persons otherwise in need of protection – *skyddsbehövande i övrigt*’. This includes those that have left their native country and have good reason to fear capital punishment, torture, other inhuman or degrading treatment or punishment, and people in need of protection due to war (internal/external) or an environmental disaster in their native country.

Are there other grounds which can allow me stay in Sweden?

If a residence permit cannot be issued on other grounds, a permit may be granted if on an overall assessment of a person's situation there are found to be such exceptionally distressing circumstances that he or she should be allowed to stay in Sweden. In making this assessment, particular attention shall be paid to:

- Serious illness which cannot be treated in home countries
- Adaptation to life in Sweden
- Situation in home country

What is the Dublin Regulation and why are my fingerprints taken?

www.irishrefugeecouncil.ie/factsheets/dublinconvention4.html

The Dublin Regulation is essentially a mechanism for determining which member state of the European Union is responsible for examining an application for asylum lodged in one of the contracting States. Asylum seekers must lodge their application for asylum in the first EU country in which they arrive. An asylum seeker may be returned to another EU member state if it can be shown that he/she either passed through the border of another State (by air, sea or land), made an application for asylum in another member state or was issued a visa or residence permit by one of the member states. When you seek asylum in Sweden, the Migration Board takes your fingerprints to establish if you have entered the EU without the necessary documents and if you have already applied for asylum in another EU member state or Norway or Iceland. These fingerprints are compared with fingerprint data transmitted by other participating States and already stored in a central database, Eurodac (European Automated Fingerprint Recognition System). If the database reveals that the fingerprints have already been recorded, you can be sent back to the country where your fingerprints were originally taken. This process is known as the Dublin Regulation. Under the Eurodac system, each participating State has to promptly take the prints of all fingers of every asylum seeker over the age of 14.

Under which circumstances can my asylum application be examined in Sweden even if I have a Dublin case?

If an asylum seeker has a family member who is residing in Sweden as a recognised convention refugee, he/she has the right to have his/her application processed here. This is also the case if an asylum seeker has a family member in Sweden whose application has not yet been the subject of a first decision regarding the substance. 'Family members' means insofar as the family already existed in the country of origin, the following members of the applicant's family:

- the spouse of the asylum seeker or his or her unmarried partner in a stable relationship
- the minor children of couples referred to in the point above or of the applicant, on condition that the children are unmarried and dependent
- the father, mother or guardian when the applicant or refugee is a minor and unmarried;

Unaccompanied Children – Allows for the transfer of an application of an unaccompanied child if he/she has a member of his or her family in another EU State who is willing to take charge of him/her and if it is in the best interests of the child.

Time-limit – If a *request* to another EU member state to take charge of an applicant is not made within a period of three months, Swedish authorities get responsible for examining the application for asylum. Even if a request is accepted by another member state, the responsibility for examining the application for asylum still lies with Swedish authorities if the *transfer* to the other member state does not take place within the six months' time limit. This time limit may be extended up to a maximum of one year if the transfer could not be carried out due to imprisonment of the asylum seeker or up to a maximum of eighteen months if the asylum seeker absconds (goes into hiding). The member state called upon to take back the applicant shall be obliged to make the necessary checks and reply to the request addressed to it as quickly as possible and under no circumstances exceeding a period of one month from the referral. When the request is based on data obtained from the Eurodac system, this time limit is reduced to two weeks.

What is the Schengen Information System (SIS)?

SIS allows border police, the customs and others to search for and exchange information. Each SIS member may enter computerised particulars about persons, vehicles or objects that are missing or wanted.

The SIS also has a blacklist that allows the participating countries to keep a record of persons they do not wish to see entering the Schengen zone. This list is consequently of major importance for the individual. A person on the blacklist may have committed a serious crime, for instance, or may have been expelled or deported and ordered not to re-enter a country for a specific period of time.

What is the Swedish Migration Board (Migrationsverket)?

www.migrationsverket.se

The Swedish Migration Board is an administrative authority with headquarters in Norrköping, regional offices in Malmö, Göteborg and Stockholm and local units all over the country. It has full and exclusive responsibility for deciding on entry into the country and interviewing applicants for asylum, carrying out all other investigations during the procedure as well as making *first instance decisions* in asylum cases. In order to establish an applicant's identity, fingerprints and photographs of an asylum seeker are taken by the Migration Board. Applicants may also be subject to a language test in order to ascertain their nationality or ethnic group. All asylum applications, whether made at border points or within the country, are submitted to the Swedish Migration Board. The border police have no authority to decide on entry of asylum seekers and must refer all cases to the Migration Board. There are Migration officers present at all main border points. However, if the person does not/will not seek asylum then the border police decides in the case and this can imply that after a summary investigation, the person can be expelled without the case being referred to the Swedish Migration Board.

Who are my contact persons at the Migration Board?

Normally an asylum seeker has two case officers (*handläggare*). One of them is in charge of examining the asylum application (this is a person from *Asylenheten*) whereas the other looks after the economic and social needs of the asylum seeker during the waiting time (a person from *Mottagningsenheten*). For questions concerning your asylum and the right to work (AT-UND), you can contact the former and for issues such as daily allowances, school, medical expenses etc you contact the latter. You can also contact your lawyer if you have any questions about your asylum application.

PROCESS AND REGULATIONS

What happens when I first arrive in Sweden to seek asylum?

When an asylum seeker arrives in Sweden he/she must report him/herself as soon as possible to the nearest office of the Migration Board. Doing otherwise might negatively affect the individual's asylum request. A person who is afraid of persecution is expected not to delay reporting to the authorities in the country where he/she wants asylum. If you do not have the necessary identification papers and other documentation in support of your application, do not wait until you

get them. You can always submit them to the Migration Board after applying for asylum. When you contact the Swedish Migration Board, the following must be submitted:

- Name, age
- Nationality
- Identification papers (if present)
- Fingerprints/photograph
- Applicants may also be subject to a language test in order to ascertain their nationality or ethnic group

It is very important that you establish your needs for protection from the beginning, tell the truth about your situation and that you submit your identification documents if you have any. It is also important that you as early as possible tell about possible family members abroad.

Through an interpreter, the asylum seeker is given information about:

- Your right to legal support (a lawyer).
- Asylum regulations, the Dublin Regulation, Schengen system.
- Daily allowances, language classes, work, health care.
- Respect for national laws/regulations.
- Secrecy and the right to collect information about asylum seekers from governments and organizations.
- Return to home country if asylum application proves unsuccessful.

The asylum seeker undergoes a voluntary medical check up paid for by the Swedish Migration Board. The asylum seeker is also issued a general id-card known as LMA-kort (LMA="Lagen om mottagande av asylsökande") with some personal details and photo of the holder on it.

After this initial contact the person has two options. He/she can either stay with families, relatives and friends (independent housing/EBO) or stay in one of the receptions centres (housing) provided by the Swedish Migration Board (ABO). If the asylum seeker chooses the first option then he/she leaves after giving contact details of the address where he/she is going to stay.

Unaccompanied minor asylum seekers under 18 years old (*ensamkommande barn*)

Unaccompanied minor asylum seekers are processed under the normal refugee determination procedure. Upon their arrival in Sweden, they are appointed both a guardian and a legal representative. The task of the guardian, a so-called "good

man”, is to assist the child during the interviews – sometimes along with the legal representative – and to ensure that his/her rights and special needs are taken into consideration. The support provided by the guardian aims to ensure that, upon coming of age, the child has developed to his/her maximum capacity.

If the Migration Board does not believe that a person who claims to be under 18 years old actually is a minor, an age assessment can be done by a doctor who takes an X-ray picture of the person’s teeth or bones.

Children in the asylum process

It is important to notice that children may have their own reasons for applying for asylum, even if they come to Sweden as part of a family. Children can be persecuted for the same reasons as grown ups but they can also be persecuted or exposed to human right violations because of their unique vulnerability as children. Children should be heard by the Migration Board, or if this is not appropriate (e.g. if the children are considered to young for this), the parents should be heard about the children’s reasons for asylum.

Women in the asylum process

Women may suffer persecution because of their gender, and suffer from violations and persecution differently than men. None the less their reasons for asylum should be considered in the same way as men’s. You have the right to request a female interpreter, lawyer and/or case officer if this makes you feel more comfortable.

In cases where women are travelling with male relatives, it is not uncommon for the male to be treated as the “principal” applicant for asylum, even if the women’s experiences also fit the requirements for a grant of asylum. However, women and men have the same opportunities, rights and obligations when it comes to asylum. Accompanying women are often heard separately by the case officer, after the interview with the husband.

Do I have the right to legal assistance (*offentligt biträde*) and for how long?

If the Migration Board determines that your asylum application will be processed in Sweden, then a lawyer is appointed to you at the cost of the Migration Board. If the Migration Board establishes that the asylum application is straightforward and the person is likely to be granted a residence permit then a lawyer is not appointed. This is usually also the procedure with Dublin cases or if, according to the Migration Board, it is obvious that there are no grounds for asylum. You have the right to legal representation as long as

your asylum application is being examined. If a final negative decision, which cannot be appealed against, is made ordering you to go back to your country, you lose the right to legal assistance arranged by the Migration Board. In case of detention, persons have the right to an appointed lawyer to represent them concerning the deprivation of freedom if they stay more than three days in detention.

In case a lawyer is not appointed to you, you can engage a lawyer yourself, but then you have to pay for the expenses yourself.

Can I suggest/change a lawyer?

Normally the Migration Board asks if you have or know a lawyer to assist with your asylum application. To change a lawyer, you must have objective and clear reasons and in practice it is seldom permitted. Under the following circumstances, however, it is possible to apply for a new lawyer: if you change residence and that becomes a problem between you and the lawyer; if the lawyer has not begun working with your case within reasonable time; or if the lawyer neglects your case and/or if there are serious difficulties hindering cooperation with the lawyer. To change your lawyer, you must submit an application explaining your reasons to the case officer handling your asylum application at the Migration Board. Depending on your reasons and costs involved, the Migration Board makes its decision. It is also possible to request the Migration Board to have a legal representative appointed to you as early as possible.

Do the Migration authorities have the right to collect information about me from other governments and NGO's?

Yes. The Migration Board has the right to collect and investigate into your background, your asylum claims and your records in other countries and contact international organizations such as the UNHCR or NGO's like the Red Cross. For this purpose there is a document which the Migration Board asks you to sign giving your consent. The Migration Board cannot contact your home country government to get information about you. If your application for asylum is turned down, however, the Migration Board may contact your home country (normally the embassy in Sweden) to get the necessary travel documents for you to return.

How can I prove my identity and is it true that if I submit my national passport, the Migration Board can deport me without examining my case?

Usually national passports are accepted for establishing one's identity. However, if you do not possess a passport from your home country, you can always present other identity documentation to help establish your identity.

Sweden, like all asylum countries, never sends people back to their home countries before carefully assessing their protection needs. It is your grounds for seeking asylum that are important. Submitting a passport or any other document proving your identity has positive effects on your asylum application. If you are granted asylum even though your identity has not been established, your travel document will note that your identity is “un-established”. Therefore, do not hesitate to submit identification documents (passport/id-cards) if you have any.

What does it mean if an asylum case becomes a security case (säkerhetsärende)?

When it is found that the presence of a certain person in the country could constitute a threat to national security, the application is classed as a security case. In such cases there is a special procedure for examining the application for asylum, and the Migration Board refers the case to the government to make a decision on the application for asylum.

How is my asylum application processed (asylprövning)?

www.migrationsverket.se/infomaterial/om_verket/ny_ordning_en.pdf

The Swedish Aliens Act emphasises that the examination of an asylum application has to focus on the protection needs of the individual asylum seeker. In Sweden, unlike in some other asylum countries, the definition of a refugee includes people who are persecuted for reasons of their gender or sexual orientation/disposition. The provisions on persons otherwise in need of protection is also extended to include people fleeing because of severe conflicts in the country of origin and feeling a well-founded fear of serious abuses. Particularly distressing circumstances such as the applicant’s state of health, adaptation to life in Sweden and the applicant’s situation in the country of origin may *in exceptional cases* lead to a residence permit being granted if none of the grounds of protection are applicable. This, however, requires an overall assessment when examining these cases.

Appeals against negative decisions made by the Swedish Migration Board on asylum applications are submitted to a court of law known as Migration Courts. This sometimes means that the asylum seeker and the Swedish Migration Board meet as two parties in a court of law. This is intended to make the asylum process more transparent and more oral. However, it is not uncommon that an appeal is handled in a written procedure.

The following is a description of the procedures and processes an asylum application goes through from the day it reaches the Swedish Migration Board until a final decision is made.

The Swedish Migration Board – First instance decision

The Lawyer in the presence of an interpreter makes an interview with you in order to put together reasons/grounds for your needs of protection and then sends your application to the Migration Board. Here you are expected to give all information that is related to your need for protection. In the interview, through an interpreter speaking your language, you answer/explain the reasons that made you leave your country and why you need protection. The information you provide in this interview becomes the foundation for your application for asylum which is then used by the Migration Board to decide whether you are entitled to stay in Sweden or not. If you have documents in support of the information you are providing, you must submit them. It is extremely important that you explain clearly why you are in need of protection in Sweden. Saying that the government in your country violates human rights or that the general situation in your country is unstable is not sufficient to allow you to stay in Sweden. You must explain why your government has an “interest” in you as an individual and/or that the government cannot or will not provide you protection from non-state actors which in either case might result in you facing persecution and/or serious human rights violations. The same applies if you apply for asylum because you have good reasons to fear capital punishment or torture. You can also apply for asylum if you need protection due to war (internal/external) or an environmental disaster in your native country.

The interpreter has the duty of confidentiality but if you feel that they are unreliable or biased in their political opinions, you have the right to request a change of interpreter. Female asylum seekers can also request to have a female interpreter, lawyer and/or case officer if they want to.

In your asylum application, if you provide any information which is not true, it may lead to the authorities becoming suspicious of other information which you have provided. If it is discovered that you have gained a residence permit on the basis of false information, your permit may be revoked. Information concerning this is usually given to you by the Migration Board.

When a written application is prepared and submitted, the case officer at the Swedish Migration Board calls the asylum seeker to a supplementary interview before making a final decision on the asylum application.

The waiting period varies from case to case. It can be a few months or much longer. If a positive decision is made then the asylum seeker gets a permanent residence permit (PUT) – sometimes it can be temporary residence permit (TUT) – in Sweden and is automatically discharged from the Migration Board and is placed (settles) in a municipality. If a negative decision is made on the application the asylum seeker is given two options: either to accept the decision and return to his/her home country, or appeal the negative decision to

the Migration Court (*Migrationsdomstol*). Normally asylum seekers appeal a negative decision.

Appeals – Second instance decision

Responsibility for re-examining first instance negative decisions made by the Swedish Migration Board lies with three Migration Courts (*Migrationsdomstol*) and a Migration Court of Appeal (*Migrationsöverdomstol*).

If the Migration Board makes a negative decision in the first instance and you wish to appeal, your appeal first goes to the Migration Board which re-examines the decision and changes it if it appears that the first decision was incorrect. If the Board stands by its original decision, your appeal and a statement pass to one of the three administrative courts of appeal – in Stockholm, Göteborg and Malmö – that are designated Migration Courts. The court process generally commences with a written process where the facts put forward by you and the Migration Board are sent to you and your legal representative and the Migration Board. When all the facts have been presented the court is required to reach a decision. To make a decision supplementing the written material with an oral hearing could be justified. An oral hearing can take place either on your request or the court's. The court summons (invites) you, together with your legal representative, and the Migration Board to the oral proceedings. The court notifies its decision in writing to all concerned. If you, without a valid reason, fail to appear at the proceedings, the court can reach a decision based on the material that already exists in the case.

In the Migration Court, the Migration Board appears as your counter-party. The documents presented by the Migration Board in support of the Board's decision should in principle be public and be available to all parties concerned. To satisfy the transparency requirement, it is stated that most of the Migration Board's country of origin information ought to be available on the Board's website (www.migrationsverket.se/lifos). This helps the asylum seeker/his lawyer to see on what grounds the Migration Board/Court base their decisions.

It is a basic rule in Sweden that court hearings and judgements are public. This means that the public and media can attend the hearing and access the decision in an asylum case processed in the Court. However, there are rules that protect the individual's personal circumstances. Secrecy can apply especially in asylum cases where details about the individual's circumstances, such as details of persecution, torture, etc., are referred to. The hearing can take place behind closed doors in order to protect an individual asylum seeker, and the judgement can be classified as secret. As an asylum seeker, you can request for a closed hearing, but the court does not always accede to such a request. In principle, in such cases only the members of the court, the parties and their representatives as well as an

interpreter may be present in the courtroom. Nevertheless, there is a discussion going on concerning secrecy/confidentiality in relation to sensitive information concerning the asylum seeker.

If the Migration Court upholds the initial negative decision of the Migration Board and you still wish to appeal against it you can do so to the Migration Court of Appeal. However, it is required that permission to appeal to the Migration Court of Appeal is granted by the Administrative Court of Appeal in Stockholm. If permission to appeal is not granted, the Migration Court's decision stands. The Court mainly takes up matters for review which are of importance as a matter of principle and which could offer guidance in future decisions.

Note that also the Migration Board can appeal a positive decision on your application to the Migration Court of Appeal.

What happens after two negative decisions?

After these two negative decisions it is not possible to submit a new application for a residence permit under the Aliens Act. Instead the focus shifts to the so called impediments to enforcement (*verkställighetshinder*), which could be considered by the Migration Board. This means that each refusal of entry or expulsion should be preceded by considering whether there are impediments (obstacles) to the enforcement of the decision. The Migration Board can conduct a review on its own initiative or on request by the rejected asylum seeker on the existence of impediments to expel him/her to his/her home country. If impediments to refusal of entry or expulsion are *medical or practical* it is the Migration Board which decides and its ruling may not be appealed. However, if there are new *protection circumstances* (e.g. risk of torture, death penalty or a risk of persecution) which have not been examined before, a rejection decision from the Migration Board can be appealed to the Migration Court. If the Migration Court finds that such impediments exist, the matter is referred back to the Migration Board for further examination and a new decision.

Following examination in the Migration Court, and sometimes also in the Migration Court of Appeal, it is the Migration Board that will either issue a residence permit or provide the person who has been refused entry/expelled with support and practical help with the return to the home country. If force is required for the person who has been refused entry/expelled to leave the country, the Board hands over the matter to the police who have the authority to make sure that the person in question leaves the country.

How long does it take to have my asylum application decided upon?

The length of time it takes to reach a decision depends on such factors as the number of asylum seekers who have arrived in recent months and how compli-

cated their cases are. To speed up and make the asylum application assessment smoother, provision of all relevant documents including identification documents is very crucial for your asylum request. Asylum seekers are therefore recommended to submit such relevant documents. The average processing time for *the first decision* of an asylum application is about seven months (in the end of 2007). The great majority of those who are refused asylum lodge appeals. This means a new period of waiting. Many asylum seekers have to wait a year or two for their cases to be settled once and for all.

Why does it take so long to process certain asylum applications?

There are several reasons for this. Lack of identification cards/documents makes the process difficult. To investigate un-established identities demands much time and resources. This is one of the major factors that can affect applications' assessment periods. Therefore it is recommended that you submit identification papers to avoid such effects. Another reason for the long processing time is that the Migration Board receives a lot of asylum applications and has a backlog of applications. On the other hand, if a certain asylum case was found to be an unfounded application – e.g. a Dublin case – a decision can immediately be made refusing entry and removing the person from Sweden.

What will be the end result of my asylum application?

Permanent residence permit (*Permanent uppehållstillstånd PUT*)

If the concerned authorities establish that your claim for asylum is credible then you are granted refugee status, permanent residence permit and a travel document if you satisfy the criteria for a Convention Refugee (see “Who is a refugee?”). If you were granted a permanent residence permit on grounds of subsidiary protection needs (see definition above), the Migration Board can issue an alien's passport if you cannot obtain your home-country's passport. You can also be granted a permanent residence permit on grounds of exceptionally distressing circumstances (see above).

If you were living in an independent accommodation and you get a residence permit you have two alternatives. You can either continue living at the same address (independently) or accept help from the Migration Board to place you in one of the municipalities willing to receive you. In the first case the municipality is responsible for financial assistance that you might be in need of and for drawing an introduction plan for you. In the second case the receiving municipality arranges housing in addition to financial assistance and draws up introduction plans for a period of time. In both cases the government pays agreed amounts of

money to the municipality for every received refugee. The permanent residence permit allows you to stay in Sweden for good.

Temporary residence permit (*tillfälligt uppehållstillstånd TUT*)

This is a temporary residence permit given to asylum seekers whose protection needs are considered to be temporary for some reason, e.g. if there is an impediment, which is not of a lasting nature, to enforcement of a negative decision on an asylum application. If you get a temporary residence permit, you are normally not allowed to family reunification (to bring your family to Sweden).

Return (*återvändande*)

If the Migration Board establishes that you do not have any grounds for protection in Sweden then you must return to your home country or to any other country which will receive you. In this case, if the person willingly returns, then the Migration Board can assist him/her with arranging the trip back home. Organizations such as the IOM and the Red Cross also can assist in such repatriation. However, if you are not willing to return to your country and remain/hide then the Migration Board can stop/cut your daily allowances and withdraw your LMA id-card, and inform your employer to terminate employment if you have one. If you get a final rejection on your asylum application, you lose the right to work. Depending on your situation the Migration Board can in some cases decide to put you in detention or transfer your case to the police who have the authority to keep you in detention and forcibly send you back to your country. In the Aliens Law, a decision ordering someone to leave the country (*utvisningsbeslut*) is valid for four years.

What can have negative effects on my asylum application?

Being an asylum seeker does not exempt you from legal prosecution/punishment (See also under heading “What are my obligations/responsibilities?”). You always have the right to a fair trial and legal representative. Depending on the kind of crime committed, you can be convicted, your asylum application rejected and you can be deported to your home country, possibly with a non-return decision for a given period of time or for good.

What do I do if I am still in need of legal assistance?

If you have the means you can always appoint a lawyer at your own expense. There are also humanitarian organisations which can either appoint a lawyer or act as a lawyer for you. The Swedish Refugee Advice Centre (*Rådgivningsbyrån*), the local

Red Cross Office, FARR and Caritas are all competent bodies that can give you the necessary legal advice and assistance in this regard. You can find their contact details at the end of this handbook. Here it is important to remember that any application/appeal you intend to send to the concerned authorities should best be done through a competent lawyer, but in emergencies other persons can also act on your behalf.

When does an asylum seeker become ‘illegal’ and what does it mean to remain in the country illegally?

When an asylum application is examined and reasons to grant residence permit were not found then the person is ordered to leave the country. If the person does not leave the country and continues to live in Sweden his/her stay in the country becomes illegal. This means that the person does not have any status, lacks rights and access to social services.

What is detention and who is detained (*förvar*)?

Detention is a special centre where asylum seekers (and other aliens) may be detained. There are three grounds for detention:

- If the identity of a person is unclear.
- If it is necessary to enable an investigation on the right of a person to remain in Sweden. This is generally when there are questionable aspects to the person's identity and further investigation is needed, particularly if there is a possibility of national security being at risk if they are released. Identity investigations are undertaken by the Migration Board's Asylum Bureau with aid from the Foreign Affairs Department and the Police.
- When a person, in all probability, will soon be deported or if it is expected that they will go into hiding if released. In this case, detention continues until travel documents are prepared.

A person should not be held in detention for more than two weeks, unless there are exceptional grounds for a longer period. If, however, a refusal-of entry or expulsion order has been issued, the person may be detained for not more than two months unless there are exceptional grounds for a longer period. Under Swedish law, no child under 18 years shall be held in detention for more than 3 days. In extreme circumstances this can be extended to 6 days. Which authority it is that decides whether to take someone into detention depends on where the asylum application is in the asylum process.

After three days in detention the individual has the right to have legal assistance. It is important that all detainees are aware of their rights in detention

and the length of time they can be held in detention. All detainees have a right under Swedish law to appeal their being held in detention. Appeals are sent to the Migration Courts. Some organizations, such as Amnesty International, Red Cross, Swera and others pay visits to people in detention centres and try to assist when possible.

As an alternative to detention someone can also be put under *supervision* (*uppsikt*), i.e. a person reports regularly to the Migration Board or to the police to confirm his/her cooperation and that he/she is in the country.

Can I bring my family once I have received a permanent residence permit?

www.migrationsverket.se/english/efamilj/eanknyt.jsp

A person who has received a permanent residence permit in Sweden has a right to reunite with close family members. This right is limited to the nuclear family i.e. spouses and children under 18. In some cases other persons living in the same household are allowed to join the family e.g. when they are depending emotionally and financially on the person in Sweden. It is important that you already in your asylum application tell the Migration Board about possible family members abroad. If you want to reunite with family members outside the nuclear family, an application for this needs to be done immediately after you have received a residence permit in Sweden

A family member, who wishes to move to Sweden to live with you, needs a residence permit before he or she comes to Sweden. An application for a residence permit must be made at a Swedish embassy or Swedish consulate. An application can normally not be granted if he/she submit it when visiting Sweden, nor can the person with residence permit submit the application in Sweden.

Can I officially get married in Sweden during my asylum period?

Asylum seekers like others have the right to get married after meeting some criteria. To be able to get married in Sweden a couple must first complete a procedure for an investigation into possible impediments (*hindersprövning*). The Local Tax Office (*Skatteverket*) handles this procedure, applicable to all foreigners, in the district in which the parties are registered. If they are not registered with a local tax office, they must contact the local tax office in the district where they are staying temporarily or where their wedding is to take place. All applicants must appear in person. The local tax office determines whether there are any impediments to the marriage. It is recommended that the applicants contact the office early to find out what documents are required:

- A document of identity. A passport is usually accepted.
- A document (affidavit) listing the general impediments to marriage in the country of the persons in questions. This document contains only the general impediment to marriage in that particular state, and does not refer to a specific case and is merely a guide for the Pastor or Civil Authority to be used to determine whether any impediments exist in that particular State for the intended marriage.
- Evidence regarding the current marital status. An affidavit stating that the person in question is not married is usually considered sufficient. Two individuals who know the applicant well should sign this affidavit. The document should be notarised.

Can I get the right to stay if I get married to a Swedish National?

Getting married has nothing to do with your need for protection. If you get married or want to get married when your asylum request has been rejected, then normally the person has to return to his home country and apply for residence permit on family reunification grounds at the Swedish Embassy/Consulate.



Photo: Jim Elfström/IKON

The reception system

www.migrationsverket.se

By reception of asylum seekers (*mottagande av asylsökande*) is meant the type of assistance, socially and economically, given to persons during the period their asylum application is being processed. According to different human rights conventions, the European Union's Reception Directive and the Swedish reception laws, asylum seekers are entitled to some rights during the asylum period. These include the following:

Do I have the right to housing?

While an asylum application is being investigated, the Swedish Migration Board organizes accommodation for asylum seekers in reception centres which consist of rented ordinary furnished self-catering flats/apartments. Families generally live together, while single persons are accommodated in shared flats, normally at least two persons per room. The concerned authorities are usually informed about what it means to have asylum seekers living in the municipality. Unlike in some other asylum countries, asylum seekers in Sweden have the possibility, if they wish, to arrange their own accommodation for example with family, relatives and friends all over the country. This entails that asylum seekers in Sweden have freedom of movement without restrictions within the country. When asylum seekers prefer to arrange housing on their own, they are required to provide a physical address of the place where they will be staying. This is required in order to enable the Migration Board and the lawyer to reach the person when necessary.

Do I have the right to financial assistance?

The Swedish Migration Board offers economic assistance to asylum seekers who so wish and who have no other means of providing for themselves. This economic assistance which takes the form of daily allowances is meant to cover the daily expenses of asylum seekers while waiting for a final decision. This includes clothing and shoes, medical treatment and medicine, dental treatment, toiletries and leisure activities. Financial assistance granted to asylum seekers who arrange their own accommodation and to those who stay in self-catering housing provided by the Migration Board, is calculated as follows:

Adults:	71 kronor per day
Couples living together:	61 kronor per person per day
Children (0-17):	37-50 kronor per person per day.

For asylum seekers who stay in accommodations arranged by the Swedish Migration Board with meals included, the daily allowance is as follows:

Adults:	24 kronor per day
Couples:	19 kronor per day per person
Children (0-17):	12 kronor per child per day.

Apart from this financial aid, the Swedish Migration Board can grant a special one-time allowance. For instance, when an asylum seeker comes to Sweden during the winter and needs warmer clothing (winter jacket) and when newly arrived female asylum seekers give birth to children needing infant articles such as a buggy (*barnvagn*).

Do I have access to health care (*hälsovård*)?

Adult asylum seekers:

All asylum seekers are entitled to emergency medical and dental care. When first arriving in Sweden, asylum seekers have the right to undergo a medical examination paid for by the Swedish Migration Board if they wish to.

For any visit to a health centre or hospital, adult asylum seekers pay only 50 kronor for the visit or examination and 50 kronor when buying a prescribed medicine from the pharmacy. For a medical transportation they pay a maximum of 40 kronor. If they have paid more than 400 kronor for doctor's appointments, medical transportation and prescription drugs within six months, asylum seekers can apply for a special allowance. The Migration Board can compensate for costs over 400 kronor. The county administrative board receives payment for the medical examinations and medical care from the Migration Board. The county administrative board can, following an application, receive payment for special costly care. In cases of medical emergencies asylum seekers are entitled to dental care.

Asylum seeking children:

Asylum seekers' children are entitled to free of charge medical and dental health care services as children resident in Sweden (i.e. all kind of health and dental care, not only emergency care).

Pregnant asylum seekers:

Pregnant female asylum seekers have the right to receive free maternity care. They also have the right to do an abortion as well as receive contraceptive advice services free of charge.

To get compensation for medical expenses you are required to submit receipts. Normally there are certain local health centres (*vårdcentral*) where asylum seekers can go if they need to see a nurse or a doctor for minor health issues.

The Swedish Migration Board informs the asylum seeker where he/she can turn if they need to see a doctor in non-urgent situations.

Which activities does the Swedish Migration Board provide during the asylum period (*organiserad sysselsättning*)?

During the waiting period which varies from case to case all asylum seekers aged between 16 and 65 years are supposed to take part in activities organised by the Migration Board. This usually takes the form of schooling for young people and computer/Swedish lessons (*sf*) for adults. Other examples of organised activities are repairing furniture, helping newly arrived fellow countrymen to settle in, taking a course or a practical work placement. If these types of activities are available, it is compulsory for all asylum seekers between 16 and 64 years old to take part in them. Otherwise the Migration Board can reduce your financial assistance.

Do asylum seekers' children have the right to schooling and child-care (*dagis*)?

All children, including those of asylum seekers, have the basic right to education in Sweden. The right to upper secondary school/high school is guaranteed if the student has started his/her studies before the age of 18. Children and young people who are seeking asylum are offered schooling and day-care on the same terms and conditions as other children and young people in the municipality. This applies to pre-school, primary, secondary and upper secondary school/high school. It is the municipal authority that is responsible for schooling although it is the Swedish Migration Board that pays the cost. Asylum seeking children are not obliged to attend school, although the municipal authority is responsible for ensuring that those who wish to attend school have the possibility to do so.

The Migration Board's reception centres have organised child-care based on the participation of parents themselves. When parents take part in the compulsory activities, child-care is arranged for their children. In addition, after-school activities are also made available in the residence centres. If you are living in an independent accommodation and have children who need day-care and schooling, contact the Municipality in which you are living.

Do I have the right to study as an adult asylum seeker?

Generally adult asylum seekers do not have access to higher education or adult education, other than the activities organised by the Migration Board, as this

requires a residence permit. Nonetheless, there are exceptions, and many Adult Educational Associations (*studieförbund*) offer different courses that you can take part in. Information about local study circles, etc. can be obtained at local and district branches of each association. See <http://www.studieforbunden.se/19360.htm>

How can I have my previous qualifications/education evaluated?

The Swedish National Agency for Higher education (*Högskoleverket*) evaluates qualifications awarded on completion of higher education programmes outside Sweden. The agency determines which Swedish program/level your previous qualifications correspond to. This evaluation assists you when applying for a job on the Swedish labour market. If you have university qualifications or school-leaving certificates from another country and would like to continue studying in Sweden, you must contact the university or higher education institution you would like to attend and ask for information about the programs they offer, how to apply and how you can gain credit for your previous studies.

Högskoleverket

Box 7851, 103 99 Stockholm. Luntmakargatan 13.

Phone: 08-563 085 00. Fax: 08-563 085 50. Email: hsv@hsv.se.

Do I have the right to work as an asylum seeker (*rätt till arbete*)?

According to the Swedish asylum regulation, if an asylum application is estimated to take more than four months then the Swedish Migration Board exempts the asylum seeker from the requirement to have a work permit (AT-UND) in order to be able to take up employment. In practice you may have to apply for the AT-UND. When that exemption is issued the asylum seeker is required, before taking up any employment, to contact the Tax Office in order to get a 10 digit personal co-ordination number (*samordningsnummer*) which is used for purposes of tax payment. On the temporary id-card known as LMA (*Lagen om mottagande av asylsökande*) it is normally mentioned that the holder of the ID card is exempted from the requirement of holding a permit to work. When you start work, taxes are directly deducted from your monthly salary. Make sure to have an employment contract (*anställningsavtal*) signed by you and your employer. If you get a permit to work (AT-UND), before the first decision, you have the right to work until you receive a final decision on your asylum application. You can't apply for the AT-UND after your first decision.

Can I join a trade union and enjoy benefits of unemployment insurance (*a-kassa*) under my asylum period?

Yes, you can be a member if you have an income generating job. You can either do that through your employer or directly by contacting the union. If you meet certain general conditions such as payment of membership fees, length of period worked then you can have the right to unemployment insurance if you lose your job for a period of one year. Becoming a member of the workers Union also entitles you to a rebate in the cost of home and travel insurance. You can find contact details to different trade unions in the end of this book.

Do I have the right to sickness allowance if I am working (*sjukpenning*)?

In order to be covered by benefits of the Swedish Social Insurance Agency (*Försäkringskassan*) one needs to be either living or working in Sweden and be registered at the Swedish Social Insurance Agency. However, because asylum seekers during the asylum period cannot be registered at the Swedish Social Insurance Agency as residents in the country, they are not entitled to sickness allowances from *Försäkringskassan* if they become ill while working.

What can affect my eligibility to the benefits under the waiting time?

- Negative decision on your asylum application
- If you do not take part in the organized activities
- If you do not cooperate with the concerned authorities and make the asylum process difficult, or if you do not cooperate concerning return if you get an expulsion order
- If you become self-reliant (lose the right to daily allowance)
- If you go in hiding

Do I have the right to get my daily allowances while getting salary from employment?

The daily allowances are given to you because you are believed to be lacking other income sources. Receiving this state aid and at the same time getting salary is not only immoral but also against the law. In such a case the Migration Board has the right to report you to the police and demand you pay back the amount of money which you did not have the right to receive. Above all this can probably negatively affect your asylum case. Therefore, it is very important to declare any amount of money you get from employment irrespective of how little or much it is. The Migration Board decides if you still need support or not.

How and where can I find a job?

Once you have been issued an exemption from holding a work permit, you are entitled to look for work and to take up employment all over the country. Depending on your former qualifications and past working experience it is also possible to get an internship (*praktik*) through the Migration Board at a given workplace. This internship program is intended to acquaint you with the Swedish labour market and give you the chance to practice the language. There are several means you can use to look for a job, including:

- Using your personal contacts (friends, relatives)
- Internet – (www.ams.se, eniro.se ...etc.)
- Visiting potential employers
- Internship (*praktik*) for a certain periods of time at a certain workplace

What are my obligations/responsibilities?

Asylum seekers, just like all residents, are expected to respect and conform to all laws and regulations.

As a condition to be entitled to daily allowances asylum seekers must take part in the organized activities offered by the Swedish Migration Board. If an asylum seeker fails to meet this requirement without good reasons, then his/her daily allowances are reduced.

If an asylum seeker participates in an income generating activity (work), then according to the law he/she must report this to the Migration Board. If the generated income is more than what the Migration Board provides as allowances then the Migration Board pays no allowances to such asylum seekers. If an asylum seeker is found to be working and receiving allowances from the Migration Board then this is considered a crime and the person can be reported to the Police. The Migration Board normally informs the asylum seeker of such rules.

If I get a job, does this increase the chance of my asylum application being approved?

Asylum applications are assessed on the grounds of peoples' needs for protection. Getting a job has nothing to do with these needs.



Photo: Leif Öster/Sveaskog

About Sweden

www.sweden.se

Sweden, *Sverige* in Swedish, is a long narrow country with an area of 450,000 km² making it the fifth biggest country in Europe after Russia, Ukraine, France and Spain.

Sweden's *geography* is characterised by its long coastline, immensely beautiful countryside, dense forests, myriad lakes and extensive mountainous areas. More than half of Sweden's surface area is covered by forest in addition to approximately 100,000 inland lakes and tens of thousands of archipelago islands off the long coasts on the Baltic to the east and the North Sea to the west adding to the beauty of the country.

By the 16th century Sweden had evolved into a strongly centralized nation, with Stockholm as its capital. The size of the country has changed over the centuries. Finland was part of Sweden until 1809. During certain periods Sweden also had provinces on the southern and eastern shores of the Baltic Sea, and even colonies in North America and the West Indies. In 1905, a nearly century-old union with Norway was dissolved, but since 1812 Sweden's borders have been unchanged and the country has been spared from war since 1814.

Sweden belongs to the *Nordic countries* (Iceland, Norway, Denmark, Sweden and Finland), whose central portion is called Scandinavia (Sweden, Norway, Denmark). Average temperature in July is +18°C. The winter temperatures average slightly below freezing and the snowfall is moderate. Northern Sweden has long and cold winters and bright summers with moderate temperatures; in June and July, daylight lasts around the clock.

Language and population

Swedish – *svenska* – is the official language of Sweden. The Swedish language belongs to the northern branch of the Germanic languages, along with Norwegian, Danish, Icelandic and Faroese and it is the largest of these Nordic languages. Swedish is spoken by the majority of the 9 million people who live in Sweden. In Finland, which belonged to Sweden until 1809, about 5.6% of the Finnish population (some 300 000) have Swedish as their mother tongue, making Swedish one of the official languages in Finland. Swedish can be understood by Norwegians, Danes and a number of second-generation Swedes in North America.

In addition to Swedish, five languages are protected as *minority languages* in Sweden. These are: Finnish, Meän Kieli (Torne Valley Finnish), Yiddish, Sami and Romany Chib. English is taught in schools as the second language and most

people speak and understand English in Sweden. It is estimated that about 11% of the population were born outside of the country.

As a new-comer, to learn Swedish avoid, using English as much as possible in your social interactions with the Swedes!

Religion

Sweden is one of the most secular countries of the world and most people in Sweden consider religion and faith to be private matters. Few people in Sweden are religious – even fewer are actively so. However, although they are not religious, many Swedes choose to have their children baptised, have their communion and get married and buried in the church. Until January 2000, every citizen in Sweden was registered as a member of the Swedish Lutheran Church (Svenska Kyrkan) at birth. Today the church and state are separated and this is not the case anymore. In addition to the church of Sweden which has the most members in the country, other known world religions such as Islam, Buddhism, Hinduism, and a number of other Christian Churches are found in Sweden.

Democracy

Sweden is a *constitutional monarchy* in which the King is head of state, with royal power limited to official and ceremonial functions.

Sweden became a fully-fledged democracy in 1921 when the full and equal right of women and men to vote was introduced. The rights and freedoms enjoyed by Sweden's citizens are set out in the written Constitution. The Constitution states that all public power proceeds from the people and that the Parliament – *Riksdagen* – is the foremost representative of the people. As such, the Riksdag with its 349 elected members is a crucial component of Swedish democracy. The Government, headed by a prime minister, rules the country and it is responsible to the Parliament.

Sweden is divided into 21 counties (*län*) and 289 municipalities (*kommun*). Each county is headed by a governor, who is appointed by the central government. Each county has a popularly elected council with the power of taxation, and each council has particular responsibility for education, public transportation, health, and medical care. Elected municipal councils are headed by executive committees.

Parliamentary, county and municipal elections are held every four years. In these elections the Swedish electorate elect their representative at national, regional and municipal levels to govern and administer the country in the coming four years.

There is also the European level to which elections are held every five years

to elect representatives for the *European Union* which Sweden joined in January 1995 after holding a national referendum.

Throughout the 20th century, *Swedish foreign policy* was based on the principle of non-alignment in peacetime, neutrality in wartime. Since 1995 Sweden has been a member of the European Union, and as a consequence of a new world security situation the country's foreign policy doctrine has been partly modified, with Sweden playing a more active role in European security cooperation as well.

Rule of law

Rights and duties of people in Sweden are stated and protected by laws and regulations. In Sweden no one is above the law and it is only the courts that have the authority to punish people who break the law. To ensure legal security and rule of law the Swedish legal system is autonomous and independent from the parliament, the government and other public agencies.

Freedom of expression

Sweden is an old democracy where openness and freedom of expression are honoured and often admired by many countries in the world. In Sweden the right of expression is guaranteed by the constitution. Everyone has the right to express themselves, their ideas and opinions about issues concerning the society. In Sweden nobody can be persecuted because they spoke against the government.

Equality and equal rights

In Sweden, all people are equal and must be treated with dignity and respect. It is not allowed to discriminate against people on the grounds of gender, race, religion, nationality, age, disability or sexual orientation. Sweden is by many regarded as a society in which there is a relatively high degree of equality between women and men. Women and men are of equal status and must be accorded equal rights in all areas of society. According to gender equality all men and women must have the same opportunities, rights and obligations, at home, in the workplace, in politics and elsewhere in society.

Welfare system – *välfärdsystemet*

www.randburg.com/sw/general/general_10.html

Health care and social welfare services are regarded as very important parts of the Swedish welfare system. Both are seen as public sector responsibilities, which are supported by a national social insurance system. Responsibility for health care, both in-patient and out-patient, is the duty of 18 county councils and two

regions. Responsibility for social welfare service rests primarily with the municipalities.

Health insurance

All residents in Sweden are covered by national health insurance. If a person is ill, or must stay home to care for sick children, he/she receives a taxable daily allowance, 65-90% of lost income, depending on the length of the absence. The patient is charged a fee for medical consultations and any drugs prescribed. The county councils, together with the health insurance system pay most of the hospitalisation costs and laboratory fees.

Parental leave/child allowance (*föräldraledighet/barnbidrag*)

When a child is born, the parents are legally entitled to a total of twelve months paid leave from work, which can be shared between them and used any time before the child's 8th birthday. They also receive a tax-free child allowance (1100 kronor per month), equal for everyone, until the child's 16th birthday. Children who then continue their education are entitled to study allowances. At university level these consist chiefly of repayable loans.

Child-care (*barnomsorg*)

Child-care is a priority issue in Sweden because most children in Sweden grow up with both parents working and having the responsibility for supporting the family. Municipalities provide children with day-care and after-school activities at subsidised rates.

Old-age pension

A basic old-age pension, financed by both employees and employers, is payable to everyone from the age of 65. The State also pays an income-related supplementary pension financed from employer payroll fees. These two inflation-linked pensions are designed to provide two-thirds of a pensioner's average real earnings during their 15 best-paid working years.

Parental insurance

Parents receive 80 per cent of their income for 360 days and, in addition, they are entitled to an additional 90 days parental leave with 60 kronor per day guaranteed. Almost all fathers in Sweden take parental leave in connection with the birth of a baby. If a child becomes ill, one of the parents stays home to look after the ill child.

Elderly-policy

Sweden also has a policy for the elderly which aims at enabling older persons to live independently with a high quality of life. Older persons in need of care and social services are entitled to high quality help. Elderly care is provided in accordance with democratic principles and is mainly financed out of taxation revenue. The Swedish Parliament (*Riksdagen*) has defined the following objectives for national policy for the elderly. Older persons shall:

- be able to lead active lives and have influence in society and in issues affecting their daily lives,
- be able to age with security and with their independence preserved,
- be met with respect and
- have access to good health and social care services.

Education (*utbildning*)

www.randburg.com/sw/general/general_11.html

As part of its social welfare system, Sweden provides an extensive child-care system that guarantees a place for all young children from 1-5 years of age in a public day-care facility (*förskola* or *dagis*). Between ages 6-16, children attend compulsory comprehensive school, divided in three stages. After completing the ninth grade, 90% continue with a three year upper secondary school (*gymnasium*) leading sometimes to a vocational diploma and often to the qualifications for further studies at a university or university college (*högskola*). Both upper secondary school and university studies are financed by general tax revenues. A separate municipal adult education system (*komvux*) enables adults with inadequate schooling to reach the same level of education as young people. Altogether there are almost forty institutions of higher education in Sweden which are operated by the State and provide free instruction. Almost a quarter of Swedish adults have a higher education. Private, government-subsidised adult education associations arrange study circles for 2.5 million course participants a year.

Public libraries (*bibliotek*)

Public libraries in Sweden are regarded as one of the branches of popular education. There are public libraries in all municipalities in Sweden. Because Sweden is an old democracy, openness and freedom of expression are honoured and often admired by many countries in the world. People who come to Sweden from other parts of the world where free access to knowledge and information is not common enjoy coming to the libraries to read and borrow material as they wish.

With your temporary LMA id-card you can get a library membership id

which can entitle you to borrow books and other materials home. You can normally also use computers and access the Internet at libraries. The use of libraries is free of charge.

Taxation (*skatt*)

www.skatteverket.se

The public sector is responsible for the provision of many services in Sweden, including education, labour market and industrial policies, health care, pensions and other social security, as well as environmental protection. Swedish personal taxes are very high; the revenue however goes back to the taxpayers in the form of public service. In Sweden there are both direct as well as indirect taxes. Direct taxes generate from national income taxes (20 percent on annual taxable earnings) and local income taxes (depending on municipality between 25-36 percent), as well as tax on capital. Aside from these taxes there is a system where employers contribute to cover pensions, health benefits and other social security. The tax authorities administer a tax account for everyone obliged to pay tax or other charges. The tax is to be submitted monthly. The system is arranged in such a way that the estimated taxes are withheld and paid over the year. These preliminary tax payments should add up to the amount calculated according to a person's final tax assessment.

The Swedish police (*polis*)

www.polis.se

Unlike many other countries, Sweden has a national police service which is responsible to the Ministry of Justice. The police service comprises the National Police Board, the National Laboratory of Forensic Science and 21 police authorities, each responsible for the policing of the county in which it is situated. It is the duty of the police to safeguard the legal rights of the individual, to prevent and detect crime and to ensure that anyone who commits an offence is identified and brought to justice. The number for emergency situations requiring immediate response is 112 ("one mouth, one nose and two eyes" as they teach the number to children). This number is used to contact the police, ambulance or fire brigade in situations where a crime is happening or if anyone is in immediate danger. In non-emergency situations you should usually contact the local police in the area where the crime has occurred. To contact your local police you should either phone them at 114 14, or go to the nearest police station that has a front office open to the public. Do not be afraid to contact the police if you need to do so. Being an asylum seeker does not prevent you from contacting or enjoying police

protection. The police in Sweden are for all. Other emergency calls: Ambulance, rescue corps, dentist, doctor, information on poison, mountain rescue corps, as well as fire department call 112. Information on poison: 08-33 12 31.

Purchasing and performing undeclared work (*svartjobb*)

Undeclared work, or “black work” as one says in Sweden, refers to income from work on which tax should be paid in Sweden but is not. According to Swedish tax legislation virtually all legal income should be taxed, from the first Swedish crown onwards, and no group of people exempt from this responsibility. Working black or purchasing services without paying tax on them is regarded as a minor infraction, whilst it is seen as a serious offence to enter incorrect information in one’s declaration of income. Because all social services in Sweden are financed by taxes and because the economic assistance and other social services provided to you as an asylum seeker are also financed by taxes, it is very essential that people pay taxes and to do so to purchase and perform declared job (white work).

Violence against women and children

www.sweden.se

In 1998, the Swedish government passed new legislation on the violation of a woman’s integrity, establishing tougher sentences for men who perpetrate violence on women they know. The police were also given a mandate to prioritize reports of violence against women. In addition, penalties now increase with each incident; in other words, a punch in the face that in other circumstances would count as “petty assault” can now be considered “gross violation of a woman’s integrity” if it is part of a history of abuse. This crime now results in a much tougher sentence. It is also forbidden in Sweden to hit children under any circumstance. Nobody, not even parents, are allowed to hit children! There are special centres to shelter and protect women and children who have been subject of violence or are threatened with it. Generally speaking any use of violence, be it physical or verbal, is not allowed in Sweden. If you have been subjected to any kind of violence you should report it immediately to the police.

Drugs, alcohol and tobacco

www.aic.gov.au/research/drugs/international/sweden.html, www.sweden.se

All types of narcotics are prohibited in Sweden. There are some very strong regulations against using and dealing with drugs and also against drinking and driving. Prison terms are given for all drug offences. Only murder, robbery and arson give longer prison sentences than drug offences. Drug offences are classified into

three categories depending on the gravity of the offence: minor, normal and major. Generally speaking, a conviction for selling drugs automatically leads to a prison sentence. Foreign citizens in possession of any type of illegal drug may be arrested and expelled from the country.

The minimum purchasing age for buying beer from food stores is 18 and 20 years for buying other alcohol beverages at the 'Systembolaget' which is a state-owned enterprise and the only retail outlet that is allowed to sell alcoholic beverages that contain more than 3.5% alcohol. If you are under 25, you will probably have to present some proof of your age when buying. In bars and restaurants the legal drinking age is 18. To buy alcohol on behalf of a minor is strictly forbidden. You must be 18 years of age or over to buy tobacco in shops. It is banned to smoke in bars, cafes and restaurants, buses, trains and indeed all closed public areas.

Public transport (*kollektivtrafik*)

Public transport, including buses, commuter trains and the subway (in Stockholm) is available everywhere in Sweden and provides a convenient and fast way to get around. Transportation is fairly inexpensive if you buy a 30-day pass. Passes are valid for unlimited travel on the local network such as the subway (*T-bana*), local buses and commuter trains. To get on the train and buses you need to have a valid ticket or a monthly pass. If a person is not found to be in possession of a valid ticket/pass, the person pays a fine. There are special people who control tickets on trains/buses. It is recommended to have a valid ticket/pass if you want to use the train/bus to avoid fines and other probable consequences for your asylum request.

Driving a car in Sweden

You are not allowed to drive with a limit of blood alcohol concentration above 0.02 percent. It is best to avoid alcohol completely if driving. You can be prosecuted even if you have drunk only the equivalent of less than a can of beer. Police make frequent roadside spot checks. In Sweden wearing seatbelts are compulsory both front and rear. Children under 7 years old should be restrained in an approved seat for children. It is illegal to use a rear facing child safety seat in a car that has a passenger airbag. The minimum driving age in Sweden is 18. According to driving licence regulations in Sweden, asylum seekers can drive using a valid driving licence from their home country while waiting for a decision on their asylum application and for one more year when a residence permit is granted. Before starting driving it is advisable to contact *Vägverket* (Swedish National Road Administration) and see if your driving licence is valid. Remember that to be able to drive in winter requires special knowledge and skill which you might not have.

Prostitution and sex

<http://action.web.ca/home/catw/attach/Ekberg.pdf>

Sweden criminalizes the buying of sex and decriminalizes the selling of sex. The novel rationale behind this legislation is that prostitution is regarded as an aspect of male violence against women and children. It is officially acknowledged as a form of exploitation of women and children and constitutes a significant social problem. It is forbidden for adults to have sex with a child who is under the age of fifteen. The Swedish law makes the purchase, or the attempt to purchase, sexual services a criminal offence. The offence is considered more serious if it is a child who is between fifteen and eighteen years old. (www.utanpapper.nu/en/Your_Rights/Children/). It is never allowed to have sex with somebody who does not want to (*våldtäkt*) (www.utanpapper.nu)

Punctuality: Time and appointments (*tid*)

Respecting appointments and times is very important in Sweden. If you make an appointment with any official/public servant etc, make sure to come in time because doing otherwise can result in you having to pay the cost of the interpreter (if ordered) as well as for any fees that are normally paid for visiting doctors/dentists. Therefore, if you cannot make an appointment then it is strongly recommended that you call to cancel or reschedule it.



Photo: Jim Elfström/IKON

Information and contacts

Are there other organizations which can assist me during my asylum period?

Because it is difficult to anticipate how long you will be waiting to have your asylum application decided upon, make sure to make the best use of your waiting time. Apart from the organized activities provided by the Migration Board during the waiting period, you can make use of your surplus time in attending free Swedish language courses, English, mathematics, computer lessons, sports, and other activities organized by several humanitarian organizations. Doing this can help you avoid waiting related stresses, obsession and anxiety and help you live a relatively normal life until your asylum application has been decided upon. You can also contact some of them to have assistance with your asylum application. The following is a list of some humanitarian organizations, NGO's and associations concerned in one way or another with asylum issues and which provide asylum seekers assistance in different ways.

NON-GOVERNMENTAL ORGANISATIONS

Amnesty International/Sweden – Refugee Department

Amnesty has its head office in Stockholm and district offices in Malmö and Göteborg. Amnesty also has refugee representatives (*flyktingombud*) in 18 districts in Sweden. For contact details of these offices and representatives visit Amnesty's home-page or call them.

- Documentation and country of origin information
- Amnesty International is against forcible return of individuals to countries where they might be at great risk of gross human rights violation.
- Intervention in certain cases which fall under its mandate.
- Help investigate and verify certain facts/ information in certain asylum cases if needed and requested.
- If you want to submit personal testimony about human rights abuses in your country.
- Financial aid to former prisoners of conscience and their families and victims of torture.
- Information about asylum and human rights
- Contact details of Human Rights organizations in your home country if you are to be sent back (if they exist)

Box 4719, 116 92 Stockholm. Alsnögatan 11. Phone: 08-729 02 00/51.

Website: www.amnesty.se, www.amnesty.org

Rådgivningsbyrån (Swedish Refugee Advice Centre)

- Free of charge legal representation
- Information and legal advice about the asylum laws and its process
- Legal advice about other issues related to staying or getting residence permit in Sweden

Rådgivningsbyrån för asylsökande och flyktingar.

Gyllenstiernsgatan 14, 115 26 Stockholm.

Phone: 08-660 21 70. Fax: 08-665 09 40.

Website: www.sweref.org

Swedish Red Cross (Röda Korset)

Swedish Red Cross provides assistance to vulnerable asylum seekers, refugees and other migrants. The services are available all across the country through local and regional Red Cross offices. The services include:

- Advice, information and support in individual asylum cases
- Information about the asylum process
- Assistance in identifying and clarifying reasons for asylum
- Information supporting a claim to remain in Sweden on other grounds
- Advice, information and support concerning family reunification and tracing
- Information about Swedish legislation and how to apply for family reunification
- Assistance to facilitate the family reunification
- Assistance in arranging transport for the family and in cases where the family is unable to pay for the journey, there is a possibility to apply for financial support.
- Helping to trace missing relatives
- Forwarding Red Cross messages between relatives when there is no other means of contact
- Assistance to people who wish to return to their country of origin
- Detention visits: With the aim to prevent isolation, offer social support and monitor the human rights situation the Swedish Red Cross visits detained asylum seekers.
- Psychosocial support and social activities: Depending on local needs and capacity the Red Cross is providing psychosocial support and social activities for asylum seekers.
- Social activities for unaccompanied minors
- Treatment and support to tortured and traumatized refugees and asylum seekers

Box 17563, 118 91 Stockholm. Hornsgatan 54.

Phone 08-452 46 00. Fax 08-452 46 01.

Website: www.redcross.se

For regional offices of the Red Cross visit www.redcross.se

Rädda Barnen (Save the Children Sweden)

Information and assistance with:

- Child rights
- Rights of children/unaccompanied under the asylum process
- Asylum process for unaccompanied children
- Counselling

107 88 Stockholm. Torsgatan 4.

Phone: 08-698 90 00. Fax: 08-698 90 10.

Website: www.rb.se, www.utanpapper.nu

To get in touch with regional offices (11) of Rädda Barnen visit www.rb.se

FARR – The Swedish Network of Asylum and Refugee Support Groups

FARR has groups throughout Sweden which assist individual asylum seekers in the asylum procedure in co-operation with legal counsel. FARR's main objectives are:

- to defend the right to asylum
- to monitor that the Swedish authorities respect international and national refugee law when dealing with asylum applications
- to act as an umbrella organization for local asylum and refugee support groups
- to contact authorities on matters regarding refugee policy
- to represent our members in FOSIF – a consultative organ for Swedish humanitarian associations working with refugees.

Box 57, 776 23 Hedemora. Phone: 0225-147 77. Fax: 0225-147 77.

Email: info@farr.se. Website: www.farr.se

To get in contact with regional groups of FARR visit: www.farr.se

Swera – Swedish Refugee Aid (Svensk flyktinghjälp)

Information, advice and help in asylum related issues.

Box 92011, 120 06 Stockholm. Textilgatan 43.

Phone: 08-21 16 05. Fax: 08-21 16 85.

Email: info@swera.se. Website: www.swera.se

Sociala Missionen

The organization Sociala Missionen provides legal, social and psychological consultation on migration issues, including the following areas: asylum, family reunification, integration of new immigrants with residence permits and voluntary return of immigrants with residence permits.

Högbergsgatan 31A, 116 20 Stockholm.

Phone: 08-556 023 00. Fax: 08-556 023 29.

Website: www.socialamissionen.se

You can get contact details of local offices/activities of the Sociala Missionen through the above mentioned addresses.

Caritas Sverige

At local branches throughout the country, undocumented migrants may receive counselling on legal status or return as well as material.

Tegnérgatan 8, 4 tr, 113 58 Stockholm.

Phone: 08-55 60 20 00. Fax: 08-55 60 20 20. Email: caritas@caritas.se.

For contact details of local offices visit www.caritas.se

Hiv-Sverige/Riksförbundet för hivpositiva (RFHP)

For information, support and advice on HIV/AIDS infection and asylum:

Tjurbergsgatan 29, 118 56 Stockholm.

Phone: 08-714 54 10. Fax: 08-714 04 25. Email: info@hiv-sverige.se.

Website: www.hiv-sverige.se

RSFL – Riksförbundet För Sexuellt Likaberättigande

(RFSL – The Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights). If you need to talk about coming out, sex, HIV/AIDS and other health issues, and relationships, as well as if you need assistance in your contact with the authorities and healthcare institutions and require legal assistance with your asylum application contact RSFL.

Box 350, 101 26 Stockholm. Sveavägen 59.

Phone: 08-501 62 900. Other local offices for RSFL can be reached via this number.

Email: forbund@rfsl.se

Terrafem

Women who are victims of abuse may receive social, legal and psychological support. Terrafem runs a hotline (staffed by volunteers) in 27 languages where women can call to get help.

Box 891, 101 37 Stockholm. Phone: 08-643 05 10. Email: info@terrafem.org.

Website: www.terrafem.org

Centre Against Discrimination – Byrån mot diskriminering

The Centre against Discrimination is an anti-discrimination centre in Norrköping, Sweden, which aims to prevent all forms of discrimination in society based on ethnic origin, religion or other belief, sex, disability or sexual orientation.

Fröbelstugan, Södra promenaden 81, 602 34 Norrköping.

Website: www.diskriminering.se

Spånga Blåband

Information about Sweden, Swedish culture, work-life, norms, language and organized activities for people with post traumatic disorder.

Skäftegebacken 14, 163 67 Spånga. Phone: 08-795 83 40. Fax: 08-761 57 10.

Website: www.spangablband.nu

EDHR – Eritreans for Democracy and Human Rights.

Information and advice on asylum and its regulations and self-organizing. In co-operation with Studieförbundet in Sundbyberg/Stockholm, EDHR holds different activities aimed at empowering asylum seekers and helping them to have a meaningful life during the asylum waiting period.

Box 1316, 172 26 Sundbyberg. Humlegatan 34.

Phone: 08-981980. Fax: 08-98 45 82.

Website: www.edhr.org, www.eriasyl.com

Email: info@edhr.org, edhr-sweden@yahoo.com

Website: www.studieforamjandet.se

OTHER ORGANISATIONS

The United Nations High Commissioner for Refugees (UNHCR) – Protection Office

Using the 1951 Geneva Refugee Convention, the UNHCR ensures the basic human rights of vulnerable persons and that refugees will not be returned involuntarily to a country where they face persecution.

- Country of origin information
- Information about the asylum laws and process
- Assistance in cases of forcible deportation
- Investigate certain facts – registration within the UNHCR etc.

Contact the UNHCR office in your country if you are being sent back (if there is one).

UNHCR Regional Office in Stockholm, Ynglingagatan 14, 6th floor,
113 47 Stockholm. Phone: 08-457 48 80, 08-457 48 97.
Website: www.unhcr.org/se

The Swedish Church – Svenska Kyrkan

Consultation on migration/asylum issues and others.

Box 2016, 103 11 Stockholm. Munkbrogatan 2.
Phone: 08-508 940 36. Fax: 08-24 75 75. Website: www.svenskakyrkan.se

For local contact details for the Swedish Church visit their homepage or contact the above mentioned number.

GOVERNMENTAL ORGANISATIONS

Justitieombudsmannen – JO (*Ombudsman of Justice*)

The task of the JO is to make sure that government and local government agencies and the courts follow Swedish law. They do so by working with complaints that ordinary people send to them. You can write to the JO and complain if you feel that a Migration Court, the Migration Board, or another public agency has done something wrong. (This is normally called complaining to the Ombudsman). The JO is, however, not able to change a judgment or a decision.

Box 16327, 103 26 Stockholm, Västra Trädgårdsgatan 4. Phone: 08-786 40 00.
Email: justitieombudsmannen@riksdagen.se. Website: www.jo.se

Ombudsmannen mot diskriminering – DO (*Ombudsman against ethnic discrimination*)

The Ombudsman against ethnic discrimination (DO) is appointed by the government. The DO works to prevent the occurrence of ethnic discrimination in society on grounds of race, skin colour, national or ethnic origin or religious faith.

Box 3045, 103 64 Stockholm. Drottninggatan 89. Phone: 08-508 887 00.
Email: do@do.se. Website: www.do.se

Contact details for the main offices of the Migration Board

Göteborg

Asylum, reception units and Dublin cases: Detention:
428 80 Källered. Streteredsvägen 90.
Phone: 0771-235 235. Fax: 031-795 53 30.
428 80 Källered. Streteredsv 84, hus 16.
Phone: 0771-235 235. Fax: 031-774 64 22.

Malmö – Reception and Repatriation Unit

Box 3147, 200 22 Malmö. Östra Farmvägen 12.
Phone: 0771-235 235. Fax: 040-28 40 63.

Malmö – Asylum Unit

Box 3147, 200 22 Malmö. Östra Farmvägen 5.
Phone: 0771-235 235. Fax: 040-18 52 28.

Malmö – Dublin Cases

Box 3147, 200 22 Malmö. Östra Farmvägen 5.
Phone: 0771-235 235. Fax: 040-18 52 28.

Malmö – Reception Unit

Box 3160, 200 22 Malmö. Celsiusgatan 35, 3 tr.
Phone: 0771-235 235. Fax: 040-28 40 65.

Märsta Detention Centre – Förvar

Postal address: Box 507, 169 29 Solna
Visiting address: Maskingatan 4E.
Phone: 0771-235 235. Fax: 08-590 968 59.

Märsta Repatriation Centre – Återvändandeboende

Postal address: Box 7, 195 21 Märsta
Visiting address: Maskingatan 4E.
Phone: 0771-235 235. Fax: 08-590 929 25.

Norrköping – Reception Unit

601 70 Norrköping. Slottsgatan 81.
Phone: 0771-235 235. Fax: 011-23 98 39.

Solna – Reception Unit (Stockholm)

Box 507, 169 29 Solna. Solnavägen 96.
Phone: 0771-235 235. Fax: 08-470 99 30.

Solna – Asylum Unit and Dublin Cases

Box 507, 169 29 Solna. Pyramidvägen 2A.
Phone: 0771-235 235. Fax: 08-470 99 30.

For contact details of other offices visit www.migrationsverket.se.

Sökandeombudsmannen (at the Migration Board)

If you feel you have not been treated with due respect by the staff at the Migration Board and/or if you have any suggestions in that regard you can contact the “*Sökandeombudsmannen*” whose job is to receive and investigate such issues. Note that the Sökandeombudsmannen has nothing to do with the examination side of your asylum. The number is 020-30 30 20.

Migrationsöverdomstolen – Migration Court of Appeal

Box 2302, 103 17 Stockholm. Birger Jarls torg 13.
Aktuariekontor/registratur: Birger Jarls torg 5, 111 28 Stockholm
Phone: 08-700 38 00. Fax: 08-14 98 89.
Email: kammarrattenistockholm@dom.se.
Website: www.kammarrattenistockholm.domstol.se.

Migrationsdomstolen – The Migration Court in Stockholm

Box 17062, 104 62 Stockholm. Drottninggatan 95 A.

Phone: 08-561 68 500, 08-720 90 00. Fax: 08-561 68 655.

Migrationsdomstolen – The Migration Court in Göteborg

Box 53197, 400 15 Göteborg. Sten Sturegatan 14.

Phone: 031-732 70 00. Fax: 031-711 78 59.

Migrationsdomstolen – The Migration Court in Malmö

Box 4522, 203 20 Malmö.

Kalendegatan 6, 211 35 Malmö; Avd 3 Kanalgatan 32, 291 34 Kristianstad.

Phone: 040-35 35 00. Fax: 040-97 24 90.

TRADE UNIONS

TCO (The Swedish Confederation for Professional Employees)

TCO comprises 17 affiliated trade unions. Members of TCO work in all parts of the labour market, for example in the schools, healthcare, trade, the media, industry, IT and telecom.

Linnégatan 14, 114 94 Stockholm
Phone: 08-782 91 00. Email: tco@tco.se

Saco (The Swedish Confederation of Professional Associations)

Saco is a confederation of 24 independent associations. The members are academics or graduate professionals with a university or college degree, including economists, lawyers, physiotherapists, graduate engineers, doctors, teachers and many others.

Box 2206, Lilla Nygatan 14, 103 15 Stockholm.
Phone: 08-613 48 00. Email: kansli@saco.se.

LO (The Swedish Trade Union Confederation)

LO is the central organisation for 15 affiliates which organise “blue-collar” workers within both the private and the public sectors. This includes construction workers, electricians, hotel and restaurant workers, transport workers and others.

SAC-Syndicalists (The Central Organization of Sweden’s Workers)

SAC, is a syndicalist workers movement.

Box 6507, Sveavägen 98, 113 83 Stockholm.
Phone: 08-673 35 59. Email: info@sac.se.

PUBLICATIONS FROM THE NATIONAL THEMATIC NETWORK ASYLUM AND INTEGRATION IN THE SERIES ASYLUM RECEPTION IN FOCUS:

No. 1. *Av egen kraft. Asylsökande organiserar sig.* Ginbot Abraha, Eritreanska föreningen för asylsökande i Sverige/NTG-asyl, 2006

No. 2. *"En värdig levnadsstandard" Asylsökandes sociala och ekonomiska rättigheter.* Lisa Tønnes, NTG-asyl, 2006

No. 3. *Återvändande i Sverige och Europa. Policy, praxis och projekterfarenheter.* NTG-asyl & integration, 2007

No. 4. *Mellan hopp och förtvivlan. Erfarenheter och strategier i väntan på asyl.* Rebecka Lennartson. NTG-asyl & integration/AROS-asyl, 2007

No. 5. *A Handbook for Asylum Seekers in Sweden.* Ginbot Abraha, NTG-asyl & integration, 2007.

No. 6. *Europeisk medborgarkunskap – för alla? Om samhällsinformation och gemensam värdegrund i ett mångkulturellt Europa.* NTG-asyl & integration, 2007

No. 7. *Introduktion och integration av nyanlända invandrare och flyktingar. Utredningar, granskningar, resultat och bristområden.* Henrik Emilsson, NTG-asyl & integration, 2008

OTHER PUBLICATIONS FROM THE NTN ASYLUM AND INTEGRATION:

Oviss väntan. En kunskapsöversikt. Svenska ESF-rådet/NTG-asyl, 2003

While we are waiting. Uncertainty and empowerment among asylum-seekers in Sweden. Jan-Paul Brekke, Institutt for Samfunnsforskning/NTG-asyl, Oslo 2004 (in English)

Asylum and Integration Theme. Information brochure about the NTN Asylum and Integration (in English)

Det finns gränser. Artiklar, kommentarer och intervjuer om nationellt och europeiskt asylmottagande. NTG-asyl & integration, 2007

All publications can be ordered from info@temaasyl.se or can be downloaded from www.temaasyl.se

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