

Short Historical Overview of the Development of Reception Facilities

Between 1851 and 1931 a total of 1.4 million Swedes emigrated, most of them to America. In certain parts of Sweden every second person emigrated. Sweden had a considerable population increase during this period. The possibilities of supporting oneself had deteriorated considerably in the rural areas, which in some places led to famine. That was one of the reasons for the extensive emigration.

In the 1930s Sweden changed statistically from a country of emigration to a country of immigration. During World War II, Sweden received many refugees, including some 70 000 Finnish children who had been evacuated from the war in Finland. These children were taken care of voluntarily by Swedish families. After the war, there were 195 000 foreigners in Sweden.

Swedish industry had a great need of labour following the war, and the Labour Force Commission recruited workers in Europe. In the 1950s and 1960s there was extensive labour force immigration, which ceased after 1970. During the post-war period, several political events forced people to seek protection in Sweden. Family reunions and asylum seekers accounted for relatively extensive immigration in the 1970s. In the 1980s and 1990s immigration was dominated by people in need of protection and their relatives. In 1950, the number of foreign born person in Sweden was less than 200 000 (<3% of the population). In 2000, the proportion of foreign born had grown to 11,4 of the entire population of around 9 million.

The right to seek asylum in Sweden was not formally established until the Aliens Act 1954. In 1969, the Swedish Immigration Board was established to take over the responsibility for immigration and conditions for immigrants after they have been allowed to stay in Sweden. However, the Labour Market Administration was in charge of the reception of refugees. In 1985, reception of refugees was taken over by the Immigration Board and municipal reception of refugees was then initiated. Following these changes, refugees were received by nearly all municipalities in Sweden.

Up until 1992, the police collected the asylum applications and did an investigation before the application was submitted to the Immigration Board for a decision. The decision was then sent back to the police who informed the asylum seeker of the outcome. If the application was refused, the police handled the deportation. In 1992, the Immigration Board took over responsibility for the asylum investigations and in 1997 they were assigned responsibility to handle the asylum applications. As of 1999, they became responsible for deportations.

In the early 1970s, immigrants were given the right to learn Swedish, have access to interpreters and enrol their children in home language training. In 1972, an immigration minister was appointed.

During the latter half of the 1980s, the system of refugee accommodation was built to handle 5 000 refugees. However, the number arriving exceeded the facilities, some years with three times more refugees than expected. Accommodations were then expanded, and in 1989, 20 000 refugees could be received while 40 000 came to Sweden. Temporary accommodations were built. Subsequently, rules for refugees to be allowed to stay in Sweden were tightened. The number of refugees as defined in the Geneva Convention gradually dropped during the 1980s.

During the 1990s, the number of asylum seekers once again increased. In 1993, work begun to review immigration and immigration policy. For the first time, a proposal was to be made for a detailed policy for return migration.

When waiting periods for accommodations began to increase, activities at the accommodations centres that were primarily directed towards residency in the country now also included Swedish language instruction and information on the Swedish society. In July 1992, the law was changed so that asylum seekers who were expected to wait for more than four months for a decision would be excluded from the requirement for a labour permit.

An asylum seeker whose application is rejected has the right to appeal his or her case to the Aliens Appeals Board¹. When the application of an asylum seeker has been tried in all instances and the deportation decision is final, the asylum seeker has the right to take several weeks to pack and prepare for the home journey. In those cases where there is reason to believe that the asylum seeker will try to hide, he or she may be under supervision or be placed under custody until it is time to leave.

On 1 July 2000, the Immigration Board was divided into the Migration Board and the Integration Board.

Asylum application procedures and legal framework

Asylum application procedures

Upon arrival in Sweden, asylum seekers should contact the Migration Board, which has staff both at the border and inside the country. As soon as possible after asylum seekers submit their applications, examination is made whether their reasons for applying are adequate. All matters are divided into two groups, which are processed either quickly or according to regular practise.

¹ Until 2006 when a new order for appeals and procedures will be introduced.

Matters that are handled quickly are those that the staff of the board considers to be unfounded or those that should be handled by another EU country according to the Dublin Regulation or some other safe "third country", i.e. some country other than the home country. Since it is important that these matters are handled quickly, the Board has developed special transit units for investigation and decision, so that the applicant can leave the country within three months. All other matters are handled according to the regular process.

An applicant sometimes meet with the case officer several times before the Migration Board is in a position to decide whether the person's grounds for seeking asylum are strong enough to warrant him or her to stay in Sweden. A large majority of those persons seeking asylum in Sweden say that they do not have any documents to prove their identity. This is a serious obstacle for a quick and just handling, involving high costs for society. Therefore, the Migration Board works in various ways to develop methods that will increase the possibility to clarify the applicant's identity. The objective for this identity work is that, if possible, no one shall leave the asylum system without a proven identity. An identity investigation begins in connection with an asylum application, and is completed when identity is confirmed according to the same requirements as those for Swedish citizenship.

If the Migration Board assesses that the asylum seeker's application may be turned down, they ensure that he or she is provided with legal assistance in the form of public counsel. Such counsel is paid by the Migration Board to help asylum seekers present their grounds for asylum.

Asylum seekers requiring interpretation are provided with an interpreter in their dealings with the authorities. In its internal directives, the Migration Board has placed high demands on the quality of interpreters. In addition, the regions work to develop new routines for follow-up and quality assurance of interpretive work.

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 complicated their cases are. If the applicant does not have strong enough grounds for asylum, the application is turned down and the person concerned is refused to stay. The applicant can then either accept the decision and return home or, at the present, appeal to the Aliens Appeals Board. 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. In 2004, the average handling time was 291 days for the Migration Board and 170 days for the Aliens Appeals Board. (The Migration Board's statement of operations 2004). However, as of 2006, a new order for appeals and procedures in alien cases will be introduced, with the aim to manage appeals more efficiently and with legal security.

If the Aliens Appeals Board also decides that the person's grounds for asylum are inadequate, the appeal is turned down. The applicant is then supposed to leave Sweden voluntarily. The Migration Board can provide certain kinds of assistance, such as arranging and paying for the journey home. If someone fails to return home of their own accord, the police are called in to ensure that the person leaves the country.

Those whose applications for asylum are granted normally are given a permanent residence permit. This means that one is entitled to settle in Sweden for good.

Asylum seekers granted residence permits are provided with housing by a local authority. As soon as the home becomes available, the daily allowance is discontinued and the local authority takes over the responsibility. Local authorities are required to draw up an introduction plan for each of these newcomers. To offset the costs, the local authority receives a government grant for each person it takes in.

Legal framework of reception condition

The objectives of Swedish migration and asylum policy are:

- to enable migration to and from Sweden to be conducted in an organised manner,
- to safeguard the right of asylum in Sweden and internationally,
- to maintain regulated immigration, and
- to enhance harmonisation of refugee and migration policy in the EU.

More than 130 countries are parties to the UN Refugee Convention, known as the Geneva Convention. Sweden is one of them. Accordingly, Sweden has pledged to provide shelter to persons with refugee grounds as defined by the convention.

According to the UN Refugee Convention people in flight are not allowed to choose their country of asylum but must apply in the first secure country they enter. In this respect, the Dublin Regulation is enforced by the various EU countries. Under the Dublin Regulation, asylum seekers arriving in Sweden may be sent back to another EU country if they travelled there first.

The Aliens Act stipulates the terms for asylum in Sweden. The protection accorded to the persecuted under the terms of the Geneva Convention is described in Chapter 3 Section 2 of the Aliens Act, as follows:

The term refugee as used in this Act refers to an alien who is outside the country of his nationality owing to a well-founded fear of being persecuted for reasons of race, nationality, membership of a particular social group, or religious or political opinion, and who is unable or, owing to such fear, is unwilling to avail himself of the protection of that country. This applies irrespective of whether persecution is at the hands of the authorities of the country or these cannot be expected to offer protection against persecution

by individuals. A stateless person who for the same reason is outside the country of his former habitual residence and who is unable or, owing to such fear, is unwilling to return to that country, shall also be deemed a refugee.

Apart from refugees, three other categories according to Aliens Act, Chapter 3 Section 3 of the Aliens Act have a right in principle to receive protection in Sweden (aliens otherwise in need of protection). Persons in need of protection are those who have left their native country and

- have good reason to fear capital punishment, torture, etc
- need protection due to war or an environmental disaster in their native country
- fear persecution due to their gender or sexuality.

People with strong humanitarian grounds may also be granted permission to stay in Sweden. This applies for instance to those suffering from a grave illness for which no treatment is available in their own country.

As a rule, a person granted asylum in Sweden is given a permanent residence permit, which means that he or she can stay here for good. Alternatively, under certain circumstances, Sweden may grant a temporary, fixed-term permit. For instance, when the war in Kosovo was at its peak in the 1990s, 3 700 people from the region were granted permission to remain in Sweden for 11 months.

The act concerning reception of asylum seekers etc. regulates the decisions on asylum reception. This act informs that the Migration Board has the main responsibility for reception of foreigners who seek asylum, but can commission others to run reception centres. The asylum seeker is offered placement at a reception centre. Those who do not want to take advantage of this offer shall still be registered at a centre. The Migration Board also sees that economic assistance is given according to the regulations in this act. The asylum seeker shall be given suitable activities such as Swedish language instruction, care of accommodations and other activities that make the stay meaningful. The act also regulates who has the right of economic assistance, including factors that can determine a reduction in economic assistance.

The act concerning reception of asylum seekers etc also regulates what kinds of economic assistance the asylum seeker is entitled to, and the amount of assistance that is currently granted. In addition, the act defines which costs are to be covered in the assistance. The asylum seeker can apply for special assistance for costs arising because of particular needs such as winter clothing, articles for infants, equipment for disabled persons, nutritional supplements, and eyeglasses.

Organisation, number and capacities of reception facilities

Organisation of reception facilities

People who have applied for asylum in Sweden and are awaiting a decision can choose to live with friends or relatives or be provided with temporary housing organised by the Migration Board, either in an ordinary residential area or in an accommodation centre. Over half choose to arrange their own accommodation. Although the Migration Board rents apartments directly from landlords, no leases are signed until the Migration Board has been in contact with the officials of the municipality. This is in order to inform the local politicians about the implications of having asylum seekers living in the municipality.

The Migration Board aims at distributing the asylum accommodations within the municipality. As a result, there might be a small number of asylum seekers living in several small localities within a municipality. Hence, there may not be staffed offices in each locality where asylum seekers are living. However, each asylum seeker will be assigned a Migration Board case officer with whom he or she can communicate when necessary. The Migration Board also has employees in charge of housing and the organised activities in which the asylum seeker is to participate. In addition, there are one or more persons at the Migration Board with whom the municipality and other cooperating organisations can be in contact.

When there are asylum seekers living in a municipality, the Migration Board works with local officials, the county council, police and frequently other groups as well. Each asylum seeker will live in the municipality until the Migration Board (or the Aliens' Appeals Board until 2006, if his or her case is appealed) has reached a final decision. An asylum seeker who obtains a residence permit will be assigned an apartment in a municipality that has signed an agreement with the Integration Board to receive refugees. As soon as housing becomes available, the Migration Board will stop providing the asylum seeker with any financial assistance and will turn over that responsibility to the municipality.

If an asylum seeker is staying with friends or relatives and obtains a residence permit, the municipality will take charge of any financial assistance he or she is getting, one month after the permit is issued. An asylum seeker who cannot remain at the same address has two options. The first option is to look for new housing on his own or her own. The second option is to ask the Migration Board for help within a month after he or she obtains the permit. In the second case, the asylum seeker will be assigned housing in a municipality with which the Integration Board has signed an agreement.

An asylum seeker who does not receive a residence permit must leave Sweden. Employees of the Migration Board will then provide him or her with support and information to facilitate the trip home.

In 2004, the cost per registered asylum seeker at the accommodation centre was SEK 255 per day. For those persons in custody waiting to be deported, the total cost per day is SEK 2889. Currently, there are 265 places for custody.

Sometimes, asylum-seeking children arrive without their parents or any other adult custodian. A couple of hundred children in this category arrive in Sweden each year. These children are usually accommodated in group housing provided by the Migration Board. At such centres, staff is on hand round the clock. In some cases, the children have relatives in Sweden who they can live with.

In the absence of parents, a trustee is appointed whose task is to safeguard the interests of the child in various ways. The municipal chief guardian's office appoints the trustee after notification from the Migration Board. The responsibility for children without custodian will shortly be transferred to the municipalities.

When the child's grounds for asylum are examined, the Migration Board tries as far as possible to take into account his or her age, state of health and other circumstances. During interviews, the child is assisted by his or her legal representative and usually by the trustee as well.

Under the UN Children's Convention, a child is entitled to be reunited with his or her parents. Consequently, the Migration Board makes considerable efforts to find the children's parents or some other custodian. If such a person is found, the family reunion may take place in the country of origin, in Sweden or in a third country, depending on the circumstances in each particular case. Cases involving children without custodians are always given priority so as to keep the wait as brief as possible.

Number, capacities and distribution

Accommodations for asylum seekers are often regular apartments. These vary in size, and consequently the number of asylum seekers per apartment also vary.

Approximately 50 percent of asylum seekers live in accommodations arranged by the Migration Board, and the others arrange accommodations themselves, usually by living with relatives or friends. Between 1999 and 2002, the number of new asylum seekers increased by about 40 per cent per

year. In 2002, there were about 33 000 asylum seekers. At the same time, the Migration Board considerably increased its reception capacity. In 2003, the number of those seeking asylum fell somewhat, and this decrease continued in 2004. During 2004, a total of 23 161 asylum seekers came to Sweden, or about 26 per cent fewer than in 2003. Fewer asylum seekers reduce the accommodation needs of the Migration Board, and therefore space at reception centres has been reduced in 2004.

The need for reception centres is also dependent on the total number registered in the reception system. On 31 December 2004, there were totally 38 869 persons registered in the reception system of the Migration Board. This can be compared to slightly more than 43 000 registered on 31 December 2003. At the end of 2003, the average time of stay in the reception system was 404 days, and one year later this period had increased to 521 days. This increase is mainly due to the difficulties of certain groups in returning home.

Strengths and weaknesses of the reception system

The government has given priority to shortening the handling time of asylum matters. The sharp increase during the first years of 2000 in the number of asylum seekers combined with more and more persons lacking identity papers contribute to long handling times. The goal that the asylum seeker should receive information within six months has not been reached. In 2003, under new management, the Migration Board began reform work to clarify management, create greater uniformity and utilise resources more effectively. A new organisation was in effect on 1 January 2005.

Long waiting periods contribute to human suffering. Therefore, the government has decided that the system of a new application will be discontinued. Today, an asylum seeker can submit an unlimited number of new applications after an appeal and a final refusal. This procedure was intended for exceptional cases, but has now become a norm in the asylum process. As a result, the asylum process is often a never-ending one. However, as of 2006, a new order for appeals and procedures in alien cases will be introduced, with the aim to manage appeals more efficiently and with legal security.

Further, the government has taken measures against a lack of documents. In 2004, only 8 per cent presented a passport. The authorities have the possibility to reduce daily allowance and housing allowance for those who do not cooperate to clarify their identities.

Many asylum seekers have paid large sums to human smugglers. In some cases, they have sold all their belongings, believing in false promises of a residence permit and work in Sweden. Trade in humans is also on the rise. Humans, women and children in particular, are sold as goods on an international market, often for sexual exploitation. As a result of this

development, punishment for human smugglers is now more severe. Victims of human smuggling are granted temporary residence permits when they take part in criminal investigations or act as witnesses. During that period they are given support and help.

To strengthen legal security in examinations at the Migration Board, the asylum seeker should be able to present his or her case verbally to those who make decisions, and legal advisors should be involved at an earlier stage. The quality of interpreters and translators should be guaranteed.

Social situation in accommodation centres and other reception facilities

Most reception centres consist of ordinary apartments in which asylum seekers cater for themselves. Single asylum seekers have to share a room. A family will be provided with a room of their own, but in that case they are expected to share the apartment with others. Since these are regular apartments in normal residential areas, the size of the rooms and apartments varies. All apartments have their own kitchen.

The asylum seeker can choose to live on his or her own, i.e. with relatives or friends. About half of asylum seekers choose do so.

Regardless of where the asylum seeker lives, the Migration Board must be able to reach him or her. If this is not possible or if the asylum seeker does not come to an interview, the daily allowance will be reduced.

Benefits of asylum applicants

A person who seeks asylum in Sweden receives what is called an LMA (Reception of Asylum Seekers and Others Act) card. He or she will need the card to obtain a daily allowance, medical care, etc. This card is proof that he or she is seeking asylum in Sweden and has the right to remain while the application is being considered. The following daily allowance is available if the asylum seeker does not have any money of his or her own:

- SEK 71 if he or she is an adult
- SEK 61 if he or she is living with someone
- SEK 37 – 50 for children 17 and younger (half that amount for the third and subsequent children)

The allowance covers expenses such as food, clothing, shoes, toiletries, newspapers and phone calls.

At the beginning many asylum seekers stay at Migration Board accommodation centres, which also serve meals. If an asylum seeker stays at a centre, the daily allowance will be as follows:

- SEK 24 if he or she is an adult
- SEK 19 if he or she is living with someone
- SEK 12 for children 17 and younger (half that amount for the third and subsequent children)

Daily allowance may be reduced if the asylum seeker

- refuses to participate in organised activities without a good reason
- impedes the investigation on the matter of residence permit by not cooperating to prove his/her identity
- impedes the investigation on the matter of residence permit by going into hiding.

An asylum seeker who goes into hiding so that a decision on refusal or deportation cannot be made does not have the right to receive economic assistance.

Under certain circumstances, the Migration Board can grant a special one-time allowance. For instance, an asylum seeker may come to Sweden during the winter and need warmer clothing, children may be born to asylum seekers shortly after arriving, thus needing articles for infants, etc.

If an asylum seeker's family is living on its own, there are limited possibilities of obtaining a monthly housing allowance of up to SEK 850 (a single asylum seeker SEK 350). Rules as of March 2005 state that an asylum seeker only has the right to housing compensation under the following circumstances:

- the asylum seeker shall be exempt from obligation to have a work permit and
- has received employment and
- he or she is about to move to a place of residence where he/she has received a job offer and where the Migration Board cannot offer any accommodations.

When the refugee moves to an apartment in a municipality, he or she can apply for a loan to buy household items amounting to SEK 20 700 for singles and 33 600 for a family of four. The loan is exempt from amortisation the first two years. The amortisation period is a maximum of 15 years. If no income or funds are available, refugees can, as immigrants, apply for social assistance on the same terms as Swedish citizens.

Provision of services

All asylum seekers who come to Sweden may obtain a medical examination free of charge. If an asylum seeker needs emergency medical and dental care they must pay a patient's fee of SEK 50. Asylum seekers are also required to pay SEK 50 for medicine on prescription.

Asylum-seeking children are entitled to the same medical and dental care as other children in the community. Medical and dental care are provided by the county council. County councils receive government grants, via the Migration Board, enabling them to provide asylum seekers with care.

Adult asylum seekers, 16 – 65 years, should participate in the organised activities that the Migration Board arranges while their applications are being processed. The organised activities provide information about living in Sweden and learning Swedish. For instance, an adolescent may attend school and an adult may receive instructions in Swedish. Other activities include furniture repair, supporting new arrivals from the asylum seekers country of origin, or courses and training at local businesses. If the Migration Board is going to take longer than four months to make a decision on the asylum seeker's application for asylum, he or she is exempt from the requirement of having a work permit in order to look for a job.

School and other activities that help the children develop are very important, regardless of whether the children stay in Sweden or return to their country of origin. Consequently, young asylum-seeking children are normally placed in regular municipal daycare. In addition, the Board provides open preschool facilities of some kind where the parents can take an active part. Schooling is arranged for children of school age in the same way as for Swedish children within a few weeks of their applying for asylum. The responsibility for providing such education rests with the local authority where the child lives and is to take account of each child's individual needs and capabilities. Children over the age of 16 are offered a place at an upper secondary school or the equivalent.

Only those who begin upper secondary school before their 18th birthday are entitled to upper secondary education or to participate in the organised activities that the Migration Board arranges. The Migration Board and others offer the children leisure-time activities of various kinds. In many areas, these may be provided by voluntary organisations such as the Red Cross, church communities or immigrant associations.

Duties

During the wait, all adult asylum seekers (including those who have arranged their own accommodation) are required to take part in some form of organised activity. Such activities may include learning Swedish or English, using computers, sewing, carpentry, practical training or helping fellow-countrymen to settle in.

Asylum seekers who fail to turn up for interviews or who otherwise impede investigation of their cases, or who fail to take part in the activities organised for them, risk having their daily allowances reduced.

An asylum seeker is allowed to hold an ordinary job if the Migration Board's handling time is expected to be longer than four months.

Those with money of their own have to pay for their upkeep. But anyone without funds can receive benefits in the form of a daily allowance.

According to the regulations of the Migration Board concerning reception of asylum seekers, a foreigner who has his or her own income or assets shall reimburse the Migration Board for board and lodging if his or her income or own assets exceed the daily allowance.

Other approaches

The staff working with reception at the Migration Board also deals with issues of return migration. At the end of 2004, the Migration Board had 8 400 open return migration cases, corresponding to about 22 per cent of those persons who are registered in the board's reception system.

As of 31 October 2004, it took an average of 77 days to produce a legally binding decision on deportation, compared to an average of 64 days at the same point in time in 2003. As stated in section 1.3 of Return migration and return migration agreements, the Migration Board has prepared an action plan on how to work for a more efficient return migration.

Return migration has also been given priority by the government, which plans to present additional proposals on how the implementation of decisions can be improved.

Steps shall be taken to ease the return journey of refugees and other persons in need of protection. Through information, cooperation and project support, the objective for the work for return migration is to enable individuals to decide for themselves if and when they want to return to their countries of origin. This can be done both in Sweden and in the country of origin.

Literature

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