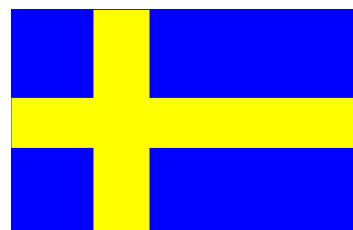


**COUNTRY
CHAPTER**

SWE

SWEDEN

BY THE GOVERNMENT OF SWEDEN



1. Resettlement Policy

Since 1950, Sweden has accepted persons for organised resettlement in Sweden within the framework of a special refugee resettlement quota. This quota is used for transferring persons in need of international protection or others in particularly vulnerable situations.

The general guidelines on which application of the quota is based are established by the Government each fiscal year after approval by the Swedish parliament. The Responsibility for the selection and transfer of quota refugees to Sweden rests with the Migration Board. Transportation and other practical matters are handled by the International Organisation for Migration (IOM) as instructed by the Migration Board.

Refugees are selected for resettlement in Sweden in close cooperation with UNHCR, and it is primarily on the basis of UNHCR's assessment that the Board plans its selection. In matters of overall policy, the Governments of the Nordic countries meet for regular consultations within the framework of the Nordic Council for Refugee Affairs (NSHF).

For the latest fiscal (calendar) years the Swedish parliament, as recommended by the Government, has allotted funds corresponding to the resettlement in Sweden of 1840 quota refugees.

2. Criteria for Refugee Status Eligibility and Asylum

Under the Aliens Act (1989:529) a person has the right to asylum if he or she meets the definition of refugee spelled out in the Act. The wording of this definition is virtually identical to the definition in the 1951 Convention, omitting any territorial and temporal limitations. In the Aliens Act, the definition encompasses the concept of agents of persecution. In the travaux préparatoires to the mentioned amendments it is stated that guidance can be sought in UNHCR's Handbook on Procedures and Criteria for Determining Refugee Status and UNHCR's Executive Committee Conclusions.

The Aliens Act also spells out other categories in need of protection having the right to receive a residence permit. These categories are:

- persons who risk execution, corporal punishment, torture, inhumane or degrading treatment or punishment;
- persons who are escaping armed conflict or environmental disaster; and
- persons who risk persecutions due to gender-related reasons or on grounds of homosexuality.

3. Criteria for Resettlement

Although priority is given to persons with a well-founded fear of persecution in the sense of the 1951 Convention, the quota reaches out to broader categories. The above shows Swedish legislation's categories of persons in need of protection. The resettlement quota has also in exceptional cases been used for persons who have not yet crossed the boundary of their country of nationality thus not *refugees* in a formal sense.

The Swedish quota policy will as of 1998 support UNHCR's endeavour to ascertain so called "Regional Resettlement" opportunities.

In line with UNHCR policy, durable solution through voluntary repatriation and local integration must have been ruled out.

Persons who have family members already residing in Sweden can also be resettled within the quota e.g. a person who have stayed in the country of refuge for a long time and if there is a strong link to Sweden and strong humanitarian reasons. The principle of family unity is upheld in the Swedish policy on resettlement. The resettlement quota can include close members of family if they arrive at the same time or shortly after the person in need of protection.

Selection on medical grounds is permitted only in exceptional cases and provided that the proper form of treatment is available in Sweden. Persons with grave mental disabilities are normally not selected as part of the quota, although, generally speaking, illness is not in itself considered an obstacle to the selection of persons in need of protection.

Reasons not to accept a case for resettlement can be (not counting the exclusion clauses stated in the 1951 Convention) criminality, alcohol and drug consuming illnesses and reasons relating to *ordre public*. Another category for exclusion is minor children without custodians if they not have relatives in Sweden who are willing to receive the child and this otherwise correspond with the best interests of the child.

4. Resettlement Allocations / Processing Priorities

For fiscal calendar year 2004, the Swedish parliament has allocated funds corresponding to the cost of resettlement in Sweden of 1,840 quota refugees. These funds may be used primarily for direct resettlement or as a contribution to projects designed to help solve refugee problems outside Sweden. The quota is general; it is not confined to certain nationalities only. Acting on the Government's instructions, the Migration Board then initiates a dialogue with UNHCR on the principal areas for examination, including Strategic use of resettlement, and it is on this basis that the Board eventually determines where the quota is to be applied.

5. Admissibility for Resettlement

Refer to Section 3.

6. Submissions and Processing via Dossier Selection

The guiding principle for the selection of refugees within the framework of the Swedish refugee quota is that selections be made on the basis of investigations carried out by the Migration Board itself (selection by delegation). If this is not possible, selections may be made on the basis of the findings of a Swedish authority abroad, UNHCR, or other suitable organisations (dossier selection).

UNHCR's submission for resettlement constitutes the basic material for the processing by the Board of the cases or cases reviewed in any given presentation. Presentations are usually given in Geneva, although material is sometimes received directly from UNHCR Field Offices as well. Dossier selection of quota refugees is almost always made on the basis of the documentation (RRF) included with UNHCR submissions for review. If the Migration Board is to reach a decision, it is essential that all relevant details of the case be set forth in full in the RRF. And, to eliminate problems during the later stages of processing, it is particularly important to ensure that the identities and photographs of the individuals and their families are correct. Likewise, particulars of any relatives of the husband or wife at home or abroad must also be provided. The reason why the particulars given in the RRF must be complete and true is, of course, the fact that they will serve as the basic material for determination of refugee status which is considered and decided after arrival when they apply for Convention of 28 July 1951 Travel document and/or conferral of refugee status. Since the Migration Board will not normally undertake any further assessment or review of the case once a refugee has arrived in Sweden, any political activities in which the individual has engaged must be carefully reported, as must any other circumstances that may be relevant to the flight from the country of origin.

In the event that the basic material is unreliable or insufficient, supplementary information is obtained from UNHCR or some other suitable source, such as an embassy or NGO. Occasionally, presentations may be submitted by organisations other than UNHCR, e.g. the Red Cross or a Swedish diplomatic mission.

The Migration Board is the competent authority to take decisions regarding residence in Sweden.

Cases dismissed by the Migration Board may be presented by UNHCR again if new facts have emerged or the Swedish admission criteria have been modified in some way.

Furthermore, Sweden raises no objections to reviewing cases dismissed by some other country, although the reasons for dismissal should be clearly set forth in the accompanying documentation.

Decisions on selection as part of the quota are sent both to the appropriate Swedish mission and to UNHCR. To help prepare the practical details of the resettlement process, the IOM is also informed. If the refugees lack valid passports, passports are issued by the Swedish Embassy or Red Cross as instructed by the Migration Board.

Quota cases are normally decided within 20 days.

7. Submissions and Processing via In-Country Selection

Before a decision is reached on selection by delegation, the matter is discussed in detail with UNHCR and the Swedish Embassy concerned with a view to determining the most suitable logistical approach, the scope of the selection, and various practical details of accommodation, transport, security, meetings, etc.

Selection by delegation is then made in close cooperation with the Swedish diplomatic mission and UNHCR. The Migration Board assumes responsibility for preparation, staffing, practical implementations and any post-processing or follow-up that may be required.

To ensure that the work proceeds quickly and smoothly, good preparation is essential. This means, among other things, that all documentation (RRF) provided by the UNHCR should be made available at least one month before the planned date of departure. And to ensure sufficient scope for selection and avoid no-shows, presentations should envisage about 50 percent more persons than will actually be selected. Presentations should clearly indicate whether the persons recommended have relatives in Sweden, and, if so, should state their names, their degree of kinship, their place of domicile, and, to facilitate identification, give as many personal particulars as possible.

In conducting selection by delegation, the Migration Board may itself initiate cases to limited extent, which are duly reviewed and eventually lead to a decision. Such cases may be brought to the notice of the Board by a candidate's next-of-kin in Sweden or by persons in some way involved in the case in question. In cases of this nature, UNHCR is always consulted first.

Interviews are normally carried out in the presence of the entire family, the aim being to supplement the information provided in the RRF and hence to provide a sufficient basis for assessment of refugee status and a final decision by the Board. At the end of each day of interviewing, the delegation conducts a thorough review of the cases considered during the day.

Once the interviews have been concluded, the delegation reviews each case once again, and only then will a final decision be reached. Occasionally, doubtful cases may be referred to Sweden for consultation and a decision at some later date.

These are known as pending cases.

In conclusion, the delegation provides the Embassy, UNHCR and IOM together or individually with an oral report on the course and progress of its work, naming those who have been awarded the right to settle in Sweden and those who have been rejected. Grounds for rejection are given orally, never in writing. Concrete plans as to the time and means of transfer of the refugees to Sweden and the practical details of their travel documents, etc., are also discussed during this meeting.

The length of time needed for selection by delegation depends both on the scope of the assignment and the size of the delegation. Excluding the preparation period and any follow-up that may be needed, two to four weeks may be considered normal.

8. Emergency Cases

Emergency cases are processed as quickly as possible, usually within ten days (and often sooner). Such cases are initiated and processed in the same manner as the dossier selection cases described in Section 6. The basic selection criteria are as outlined in Sections 2 and 3.

To preserve the special status and processing routines applied to such cases, the Board recommends that considerable restraint be exercised in their presentation.

9. Special Categories

The circumstances qualifying an individual to settle in Sweden within the framework of the Swedish refugee quota do not entirely correspond to the categories listed under this heading by UNHCR. It is, however, important that the RRF indicate whether the person is in need of some special care or treatment that might be covered by one or more of these categories.

The Directorate of the Swedish Migration Board has adopted Guidelines for decisions on resettlement matters in order to sort out the specific criterias and how to put them into practice within the resettlement procedure.

10. Family Reunification of Refugees

10.1 Policy concerning Family Reunification of Refugees

The Swedish policy on resettlement takes into account the principle of family unity. There is only exceptionally a distinction between refugees in the sense of the 1951 Convention and other aliens residing in Sweden with regard to the rules on family reunification. Relatives to refugees under the Convention who have been granted residence permit can be granted costs for the travel to Sweden under certain circumstances.

10.2 Criteria for Family Reunification

Residence permits may be granted to aliens married to or cohabiting with a person domiciled in Sweden or who is a holder of a Swedish residence permit. Any children of a parent living in Sweden or holding a Swedish residence permit are also regularly awarded residence permits provided that they are under 18, are unmarried, and are or have been living in their parent's home.

Relatives outside the immediate circle of the nuclear family are awarded residence permits only if they were members of the same household community as their kin in Sweden while in their country of habitual residence. Apart from membership of the same household community, they must also be able to demonstrate some form of mutual dependence making it difficult for them to live apart. In rare cases on exceptional grounds, persons in need of protection residing in Sweden may be allowed to be joined there by a relative with whom they were particularly close even though they may not have been members of the same household community while in their country of habitual residence.

10.3 Allocations for Family Reunification

In principle, any person resident in Sweden is entitled to be reunited with his or her spouse, partner or unmarried children under the age of 18.

10.4 Routing of Applications

Applications for family reunification should be handed in by the applicant at a Swedish embassy or consulate in his or her country of origin or habitual residence. The appropriate staff then conducts an interview with the applicant to determine the origin and nature of the family ties referred to, their duration, and any plans which the applicant may have for his or her future. These findings are appended to the application in the form of a report, which is forwarded to the Migration Board along with the actual application. Relatives already settled in Sweden may submit reunification applications direct to the Migration Board if they can produce a power-of-attorney empowering them to act on behalf of the applicant.

In such cases, however, the accompanying documentation is almost always insufficient and the Board is itself obliged to take steps to collect the extra information. This procedure should, therefore, not be encouraged.

10.5 Verification of Relationships

Applications for residence in Sweden should be accompanied by documents confirming the relationship, civil status and other particulars of the alien's personal circumstances (passport, national service discharge book, marriage certificate, etc.).

If possible, confirmation of identity should also be provided in presentations submitted by UNHCR.

10.6 Processing and Decision-Making

Upon receipt by the Migration Board of the application and accompanying report, the Board contacts the person resident in Sweden and asks him or her to verify the particulars provided and supply any further information that may be needed. Decisions on residence permits, which also entitle holders to enter Sweden, are made by the Migration Board. Residence permits are normally granted for one year at a time.

Appeal against a decision to reject an application for a residence permit may be lodged with the Aliens Appeals Board.

Decisions on travel allowance for those family members who are allowed to this subsidy and next-of-kin are made by the Migration Board. No appeal may be lodged against these decisions.

11. Medical Requirements

Sweden does not require UNHCR to perform a medical examination of the refugees or next-of-kin who have been granted permits entitling them to settle in Sweden.

However, as mentioned above, it is still important to comment on an individual's state of health and to include the relevant medical documentation in the RRF. This will be a valuable source of information both for the refugee and for the municipal authorities who will be charged with his or her care.

The Migration Board has occasionally commissioned IOM to check the health of refugees pending resettlement in Sweden. These check-ups were conceived as part of a special information programme designed to prepare the refugees mentally for their initial reception and resettlement in Sweden.

12. Travel

The Migration Board cooperates with IOM in arranging the transport called for by decisions on the resettlement of refugees in Sweden. Here it is desirable that communications between the Board, UNHCR and IOM function as smoothly as possible, since the travel process is a long one and demands good cooperation between all those involved.

As will be apparent from Section 14 below, a guiding principle of Swedish refugee policy is that quota refugees shall normally be resettled directly in one of the municipalities. However, to ensure success, the timing must be perfect.

Arrangements must be made to acquire acceptance by the local authorities, to obtain the necessary exit permits from the country or countries of origin, to issue passports and travel documents, to provide information on the final destination, to describe the route to be travelled, to draw up timetables, and much more besides. Clearly, coordination is of the essence.

13. Status on Arrival

When refugees arrive in Sweden they have already been granted permanent residence permits but are entitled to apply for a travel document and for official recognition of their refugee status (confirming, therefore, that Sweden has deemed them to be bona fide refugees under the terms of the Geneva Convention). In other words, official refugee status is granted not in conjunction with selection under the quota system but only after the individual has arrived in Sweden and applied for a travel document or declaration of refugee status.

Aliens who have lived in Sweden for five years (four years for Convention refugee) are eligible for Swedish nationality. Certain conditions are imposed before an alien can acquire Swedish nationality. These include an age requirement, a record of good conduct, and relinquishment of previous citizenship.

Some nationals can, if their national legislation allows it, keep their old citizenship, notwithstanding granted a Swedish one.

The Swedish policy on voluntary repatriation encompasses actions in the field of the general Swedish foreign policy promoting situations in countries of origin conducive to return in safety and dignity.

An allowance for resettlement in another country is available to persons awarded a residence permit on the basis of de facto refugee status or who were selected for immigration under the quota system. Re-immigration is also allowed, depending on the time spent abroad and the degree of personal attachment to Sweden.

14. Domestic Settlement and Community Services

14.1 Actors

Under the present system of refugee resettlement, introduced 1998, the Swedish Integration Board reaches agreements with individual municipalities on the reception and resettlement of refugees and certain other aliens. Each municipality who has an agreement gets compensated by the state, at present 492 000 Swedish crowns annually, in order to manage the reception of refugees and certain other aliens. In other words, the system of refugee reception is based on the voluntary participation of the majority of municipalities in Sweden.

14.2 Reception

As of 1991, the municipalities have been required to draw up plans for the introduction and integration of refugees into Swedish society on an individual basis. Each plan must be drawn up in consultation with the refugee in person and in partnership with the local employment office i.e. The programme drawn up for the active, coordinated introduction of refugees to life in Sweden stresses the importance of maintaining a holistic approach to the problems involved and of ensuring widespread cooperation between the various authorities. In addition, it recommends that trade unions, employers and NGOs be encouraged to play a more active role than hitherto.

According to the proposition Sweden, diversity and the future, nr 1997/98:16, is the individual perspective much more in focus. A special introduction program, during approximately two years, is offered to each individual received in municipality. Various authorities have recently signed an agreement where cooperation is emphasized.

A state grant of 164 000SEK is paid for each adult refugee resettled in a municipality; for children, the equivalent figure is 100 700 SEK (2004 figures). This sum is expected to cover the extra costs arising in conjunction with reception of the refugee in the municipality, including any financial assistance paid out under the Social Assistance Act, it covers i.e. accommodation, Swedish tuition, child-care, education and training, interpreters' fees, administrative costs. The grant is expected to suffice for all costs paid by the municipality during the entire introductory period. An additional grant is payable for elderly or disabled refugees and for unaccompanied minor children.

14.3 Housing

Quota refugees are settled directly in a municipality, only rarely having to pass through a clearance or residential centre. Unless otherwise requested, Swedish Integration Board always attempts to locate a place in a municipality close to other relatives already settled in Sweden. Refugees are otherwise free to settle anywhere in Sweden, although if they need help in finding permanent accommodation they must accept a home in the municipality allocated to them.

At present, most refugees are allocated a flat or other form of accommodation in a municipality after receiving their residence permits.

After being resettled in a municipality, refugees are assisted to facilitate their adjustment to Swedish society. During this introduction period, normally two years, they have access to income support, language training and job search assistance. These services are provided and financed by local governments.

Under the terms of the Social Assistance Act, refugees are entitled to financial assistance if they are unable to support themselves by any other means. Refugees enjoy the same right to financial assistance from the local services as Swedish citizens. The amount paid out varies from one municipality to another.

A special home furnishing and equipment loan, administered by the National Board of Student Aid, has been available to refugees since 1 January 1991. These loans may be applied for by refugees and others who are at least 18 years old and who have arranged for a flat in a municipality. The amount is payable as a fixed percentage of the current basic amount as established for use by the national social insurance scheme. The maximum currently available to a single-person household is 15,000 SEK and for a family with two children, the maximum amount is 35,000 SEK. Interest is charged at a rate fixed annually by the Government. The time allowed for repayment depends on the amount borrowed.

14.4 Health

Refugees enjoy the same degree of access to the national health services as Swedish citizens. There is no qualifying period once a residence permit has been granted.

14.5 Language Training

Instruction in the Swedish language is an essential part of the introduction process. Indeed, proficiency in Swedish is vital to successful integration into Swedish society. The Swedish For Immigrants (SFI) programme is the oldest single measure for the linguistic education of adult refugees and other immigrants and it remains the most important, for growing competition in the labour market is placing increasingly stiff demands on the ability to speak good Swedish.

All municipalities are under a responsibility to offer refugees and other immigrants an SFI course as soon as may be arranged, and no later than three months after the individual's arrival in the municipality. All such adult education courses are to be based on the fundamental values set forth in the 1994 curriculum for voluntary forms of training and education, and instruction is to be given in the form of courses which it is the student's right to attend. As of 1 July 1994, SFI has had its own syllabus (partly revised 2003 i.e. new form of tests at different levels), method of marking and standardised achievement tests.

All school-age children in the custody of a person or persons whose native language is not Swedish are entitled to tuition in that language at primary and secondary schools and at certain other schools as well. Mother tongue classes are often held in the afternoon after other lessons. In practice, many municipalities are unwilling to organise such tuition unless they can expect at least five pupils per class.

14.6 Education

Swedish compulsory schools accept large numbers of pupils from abroad. The previous educational backgrounds and scholastic achievements of these students vary widely, but all children living in Sweden enjoy the same access to the school system and the rules on compulsory education apply to them all, whether they are native Swedes, immigrants or refugees.

Like Swedish citizens, therefore, refugees have access to the entire Swedish educational system and are entitled to the same forms of educational assistance (i.e. grants and loans).

During the past few years, increasing numbers of children and young people under age of 18 have arrived in Sweden unsupervised by a custodian of their own. The responsibility for ensuring that these children also receive the care and protection of which they have need rests with the local social welfare services, and some criticism has been raised as to the form and content of the support provided in conjunction with their reception in a municipality.

After receiving their permits, half of the children are placed in foster-homes, 30 percent in juvenile accommodation and 20 percent in group lodging homes. However, although the form of reception of children and young people varies considerably from one municipality to another, it is thought on the whole to function quite adequately.

14.7 Vocational Training / Employment

Persons with official refugee status or who hold a residence permit on similar grounds are permitted to take up employment on equal terms with Swedish citizens.

The entry of immigrants into the Swedish labour market is central to their integration into a job brings opportunities for stimulating social interaction and the development of proficiency in Swedish. Unfortunately, however, statistics show that over the last few years the status of immigrants in the labour market has steadily de times as high as among Swedish nationals (although it should be noted that current unemployment statistics do not differentiate between refugees and other categories of immigrants).

Efforts to bring refugees and other immigrants into the labour market should be undertaken within the framework of regular labour market policy. It should be remembered, however, that refugees and immigrants are particularly exposed to the risk of long-term unemployment. They may, indeed, risk permanent exclusion from the chance of a regular job, and to prevent them from being outcast entirely they should be afforded special priority in official labour market policy.