



Information for asylum seekers in Sweden

Till dig som söker asyl i Sverige
Engelska

www.migrationsverket.se

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Rules for who can be granted asylum in Sweden can be found in the UN Convention Relating to the Status of Refugees and Swedish law. The Swedish Migration Agency is responsible for considering your application.

Several meetings

If your application is handled in Sweden, you are allowed to stay here while the Migration Agency considers whether or not you have the right to a residence permit.

You will be summoned to several meetings with the Migration Agency. At the asylum investigation you will get to explain your reasons for asylum, that is, why you are applying for protection in Sweden. It is important that you attend these meetings.

You will also be summoned to a group information meeting. At the meeting, the Migration Agency will inform you of things that are good to know when applying for asylum, for example, information about housing, economy and healthcare. You will also receive more information about how the asylum process works in Sweden. You will be informed of laws, other government agencies and organisations that, for example, work with helping asylum seekers. This is very important information that you will find helpful while waiting for a decision.

Tell us who you are

The Migration Agency will ask questions about who you are. It is important that you show your identity so the Migration Agency can make the correct decision. You should bring your passport or other identity documents to the Migration Agency. The documents should show your name, when you were born and your citizenship. If you do not have any identity documents you should try to show your identity in some other way. You can for example use a birth certificate, family book, military service book or wedding certificate.

You will also be asked about your background and your family. Remember to tell us everything about your family when applying for asylum in Sweden. It is important if you are granted a residence permit and you and your family want to reunite in Sweden.

Your reasons

No one knows as much as you do about why you have left your country. This means that it is important that you tell us about everything that has happened to you in your country and what may happen if you are forced to return. You must tell us what has happened to you personally, not just about the situation in your home country. The Migration Agency can only make a correct assessment of your reasons if you tell us everything of importance. The Case Officer will help you by asking questions to find out what is important to your application.

Things that are hard to talk about

Some things are hard to talk about, but this can mean that they are even more important to tell us. The Case Officer is sworn to secrecy and can only tell others what you have told if they are working

with your application. The interpreter is sworn to secrecy just like the Case Officer. Before the asylum investigation you can ask for a female or male Case Officer. If you need to, you may ask for a pause in the investigation. You can bring documents or other things that support your story, or information about your country to the investigation. The Migration Agency will translate the material if needed.

You can make a difference

By attending the meetings that the Migration Agency has arranged for you, you can shorten the time needed for a decision.

Submit your address and telephone number to the Migration Agency so that we can contact you. Read your mail regularly so that you do not miss information from the Migration Agency. Do not forget to tell us if you change address.

You can also help shorten the time by proving your identity. This means that you show who you are, for example by giving your passport or other identity documents to the Migration Agency. If you help to prove your identity, you will usually be allowed to work while you are waiting.

During the waiting period

Legal aid

Most people who apply for asylum are allowed to a public counsel. This is often a person with legal training who represents your interests and gives you legal aid while the Migration Agency considers your application.

The Migration Agency appoints and pays your legal counsel, but the counsel works independently from the Migration Agency or other government agencies. You can also suggest a person that you trust, or specifically request a male or female counsel. Even if you are not entitled to a counsel that the Migration Agency pays for, you can choose to hire a counsel that you pay yourself.

The interpreter's work and role

During many of the meetings with the Migration Agency, an interpreter will be there to translate what is said. Sometimes the interpreter is in the room, and sometimes they work via telephone or telescreen. Remember to make pauses when speaking, so that the interpreter has time to translate what you have said. Wait while they speak before you start speaking again.

Interpreters should follow certain rules. Before interpreting, the interpreter should tell both parties about their role, that they are sworn to secrecy and that they must translate everything said in the room. The interpreter translates everything that is said, without adding or subtracting anything. The interpreter translates in first person form. The interpreter should be neutral, and not give opinions about politics, religion or anything else. The interpreter should be impartial. This means that the interpreter should not interfere, try to help anyone or show that they agree with someone during the talks.

If you do not understand the interpreter, or for some other reason you are not comfortable with him or her, it is important that you make this known. You can stop the meeting and ask for another

interpreter. Also remember to ask ahead of time if you want a male or female interpreter. Depending on what you have to tell, it may feel better if the interpreter is the same gender as you, but it could be the other way around.

Non-Governmental Organizations

You always have the right to contact and receive support from various non-governmental organisations. The Migration Agency's employees can inform you about the organisations where you live. Some volunteer organisations do not work in smaller cities and towns. Ask your Reception Unit for help if you want to get in contact with an organisation in a specific area.

Asylum Seeker Card

When you apply for asylum in Sweden you receive a receipt of your application. The receipt includes a number that you can use when contacting the Migration Agency. This makes it easier for the Case Officer to find your information. A few days after you apply, you will be able to pick up a card at your Reception Unit. The card is called an Asylum Seeker (LMA) card and replaces your receipt. It is good if you always have your LMA card with you to show that you are an asylum seeker and that you have the right to be in Sweden while you wait for a decision. You also need to take the card with you when you visit healthcare services so that you are given the care that you are entitled to.

Employment

To get to work in Sweden you need a work permit, but as an asylum seeker you are allowed to work without a work permit if:

- your application is being considered in Sweden
- you help prove your identity
- your application is legitimate.

If you meet these requirements, you have the right to work. If you have the right to work, your LMA card will include an exemption from the requirement for a work permit (AT-UND) under point 7.

If you have been working and your application is refused, you may continue working until you leave the country or as long as you cooperate in leaving the country. If you are granted a residence permit, you can carry on working.

You can get help to find work by contacting the Public Employment Services (Arbetsförmedlingen - www.arbetsfomedlingen.se). Even if you do not have the right to work you can find internships.

If you are unable to work or do not have any money of your own, you may receive compensation. The money you get should be enough for food, clothes and personal expenses. If you receive compensation from the Migration Agency, it is important that you tell the Migration Agency if your financial circumstances change, for example if you find a job

Healthcare services

When seeking protection in Sweden you are entitled to a free medical examination at a healthcare centre. The medical examination does not affect your application for asylum. You also have the right

to emergency medical and dental care. The healthcare provider decides the care you can get. If you show your LMA card you pay SEK 50 to see a doctor or collect medicine. Children under the age of 18 who seek asylum are allowed the same free healthcare as children and young people living in Sweden.

Housing

You can either arrange somewhere to live for yourself, or live in housing that the Migration Agency arranges for you. If you live in the Migration Agency's housing you do not get to choose where you live, and you might have to move during the waiting period. If you have arranged housing for yourself you have to pay your own rent.

Decision

If you are granted a residence permit

If you are granted a residence permit you can live and work in Sweden. When you have been granted your permit, you should register with the Swedish Tax Agency and you will be given a personal identity number. As a certificate of your residence permit you will get a residence permit card from the Migration Agency. The card will be sent to your home address.

If your application is refused

A refusal of your application means that the Migration Agency does not believe that there are enough reasons for you to stay in Sweden. If your application is refused you have two choices: you can accept the decision and leave the country, or you can appeal.

If you accept the decision you are asked to sign a paper called a declaration of acceptance. After you have signed this paper you cannot appeal and you should make plans for your return.

If you instead choose to appeal the decision, you ask a court to examine the decision. Your appeal should be sent to the Migration Agency. It must have arrived at the Migration Agency before the decision takes effect, which is three weeks from the day you were informed of the decision. If you have a legal counsel they may help you.

The Migration Agency first looks at your appeal to see if the decision should be changed. If the Migration Agency does not want to change its decision, the case is sent to a Migration Court. If you do not agree with the ruling of the Migration Court you may ask a Migration Court of Appeal to review it.

If you change your mind and want to stop your appeal you can inform the Migration Agency that you accept their refusal of your application. The court will then dismiss your appeal and not try the case.

A refusal of an application normally lasts for four years. If you return to Sweden during this period you may be refused entry into the country or be deported again. In these cases you will not have a right to have your application considered again, or have a right to help from the Migration Agency.

Returning

From the day that the refusal of your application takes effect, you have a certain time period to leave the country by yourself. Your decision states how much time you have to leave the country and you are personally responsible for leaving the country on time. You may receive assistance from the Migration Agency to return to your home country to another country where you have a right to live. The Migration Agency may for example give you cash in your home country's currency or help you book your trip. Some people may also receive financial support to help them start over in their home country. Ask your Case Officer if you want to know more about the re-establishment support.

If you do not leave the country within the time frame given in your decision you may be given a re-entry ban. This means that you may not return to the Schengen countries, Bulgaria or Romania for one year. It is important that you keep track of when you have to leave the country.

If your application has been refused you may be given a re-entry ban of up to five years if you did not cooperate during the investigation. For example, it is important that you give correct information and that you are honest about your identity.

If you do not cooperate

If the Migration Agency does not think that you are cooperating to return, the Agency can reduce your daily allowance, keep you under supervision or keep you in detention. Supervision means that you must report regularly at certain times and places. You may also be required to hand over your passport or other identity document. Being kept in detention means having to live in locked accommodation that you are not allowed to leave.

If the Migration Agency believes that you cannot be rejected or deported due to your non-cooperation, police may take over responsibility for making you leave the country. The police has the right to issue a warrant and to look for you, and may use force to make you leave the country.

New information

If new information is revealed after your application has been refused, the Migration Agency may consider whether the new information means that you cannot be deported. For example, the situation in your home country may have worsened, or you may have become seriously ill. The Migration Agency can consider these things on its own initiative, or if you ask them to.

Grounds for asylum

Sweden has signed the UN Convention Relating to the Status of Refugees and the joint EU refugee regulations. This means that Sweden should consider all applications for asylum individually.

Sweden should grant residence permits to persons who are refugees or in need of protection on other grounds. The Migration Agency should first consider whether you are a refugee or not, then whether you are a person eligible for subsidiary protection, and finally if you are a person otherwise in need of protection.

Refugee

In accordance with the UN Convention Relating to the Status of Refugees, Swedish legislation and EU regulations you are a refugee if you have good reason to fear persecution due to:

- race
- nationality
- religious or political beliefs
- gender
- sexual orientation
- belonging to a specific social group.

The persecution may be committed by the authorities in your home country. It may also be the case that the authorities are unable or unwilling to offer protection against persecution from individuals or groups.

Even if you do not have refugee status, you may have the right to a residence permit as a person in need of protection. You may be a person eligible for subsidiary protection or person otherwise in need of protection.

Subsidiary protection

The law states that you are in need of subsidiary protection if you risk:

- capital punishment
- being subjected to corporal punishment, torture or other inhumane or degrading treatment or punishment
- as a civilian, to be seriously injured due to armed conflict.

Other protection

The law states that you are otherwise in need of protection if you need protection due to:

- outer or inner armed conflict or due to other serious conflicts in your home country
- having good fear of being subjected to serious abuse
- being unable to return to your native country due to an environmental disaster.

The term "otherwise in need of protection" only exists in Swedish law and therefore only applies to Sweden.

If you wish to know more

You will be summoned to several meetings where you will receive information about things that are important to know during the waiting period. The Case Officer will tell you about the support you may be given for things such as housing, finance, healthcare and school for children. The Reception Unit will summon you when there is news about your application. When you receive a decision, a Case Officer will explain what the decision means for you.