

Detention and Supervision

Either the Migration Board, the Migration Court/ Migration Court of Appeal, the Government or the police can decide to detain you or place you under supervision in accordance with the Aliens Act. If you are taken into detention or placed under supervision, you are entitled to the same daily allowance and health care as other asylum seekers.

Detention

If you are taken into detention, your freedom of movement will be limited to special locked facilities under the supervision of the Migration Board.

If the authorities detain you, it will be in order to make sure that you remain available.

If you are an adult, you can be detained under the following circumstances:

- 1) If detention is necessary in order for us to fully consider your application. In that case, you may not be detained for more than 48 hours. The time cannot be extended.
- 2) If your identity is unclear, either when you arrive in Sweden or when you subsequently apply for a residence permit. If you cannot provide probable proof of your identity, you may be taken into detention for up to two weeks.
- 3) If it is likely that you will not be able to stay in Sweden or if a decision has been reached that you must leave. If there is reason to believe that you will go into hiding or get involved in illegal activities, you can be detained. If it is likely that you won't be able to stay, the detention period may not exceed two weeks. If a decision has already been reached that you must leave Sweden, you may be detained for up to two months.

Detention periods can be extended if there are special reasons for doing so (see points 2 and 3). Negotiations must ordinarily take place before the period is extended.

If you are an adult, you can be isolated from the other detainees for the sake of order and security at the facilities. For instance, you may be placed in a locked room or a remand centre.

Children

Neither children nor their parents or guardians may be taken into detention if that isolates them from each other. But children and their parents or guardians can be detained together if there is a legal reason for doing so. The maximum detention period of 72 hours can be extended by an additional 72 hours if special grounds exist.

A child who has come to Sweden alone can be taken into detention under exceptional circumstances if he or she must leave the country as the result of a refusal of entry/expulsion decision.

Life in detention

As much as possible, detention facilities resemble the accommodation centres that the Migration Board provides for asylum seekers. Thus, activities, outdoor exercise and visiting privileges are available at the detention facilities.

The Migration Board cooperates with volunteer organisations, churches and community groups that offer support to detainees. The staff at each detention centre can provide more details on how they operate.

The staff

The staff of the detention facilities works for the Migration Board and is on hand 24 hours a day. You can always turn to one of them for support. The staff is also in charge of making sure that the detention

facilities are safe and secure.

It is important for you to cooperate with the staff in order to make your detention period as short as possible. For instance, make sure you help them obtain the documents that are needed to consider your application for asylum.

One task of the staff is to see to it that people who may not stay in Sweden actually leave. Its job is also to make it easier for those people to return. Both the staff and various volunteer organisations can advise and help you with problems like locating contacts in your country of origin.

Supervision

Instead of detaining you, we might decide that placing you under supervision is good enough. Children can also be placed under supervision in certain cases.

If you are under supervision, you must report at the time and place you have been informed about, and turn your passport or other identification over to us. There may also be other special conditions with which you have to comply.

The decision will be withdrawn if there is no longer any reason to keep you under supervision. Otherwise, the decision will be reconsidered within six months.

Public counsel

If the Migration Board thinks that you need legal assistance, we will find public counsel for you free of charge.

The public counsel is there for your sake. He or she looks after your interests and makes sure that your application is handled in accordance with the law and applicable regulations. He or she is completely independent of the Migration Board and other authorities.

Appealing against the decision

You can appeal to the Migration Court against a decision to detain you. You should submit the appeal to the Migration Board, which will forward it to the court. You cannot appeal against a decision to place you under supervision.