How to apply for asylum

FOR CHILDREN WHO ARE APPLYING FOR ASYLUM
WITHOUT A PARENT OR OTHER GUARDIAN
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Hello

This brochure is for you who have arrived without parents and applied for asylum (protection) in Sweden.

Naturally this brochure can also be useful to anyone who wants to know more about what asylum is and how to apply for asylum. Here we will describe the stages of how to apply for asylum.

The brochure can be read in different ways. You can either read the entire brochure from the first page to the last, and learn about what happens when you have applied for asylum. You can also read the chapter that describes the stage that you and your family are at.

The Swedish Migration Agency is the authority in Sweden that considers applications from people applying for asylum. The Migration Agency also considers applications from people wishing to visit or settle in Sweden. The Migration Agency also considers applications for Swedish citizenship. www.migrationsverket.se

At the end of this brochure you will find addresses to organisations that can be a support and help on your way through the asylum process.

Save this brochure! It may be useful during your time in Sweden as an asylum seeker. When you turn 18 you will receive new information.
A few words for you

Being an asylum seeker is not a normal situation – you have arrived in a new country and applied for asylum (protection). No one chooses to leave their country voluntarily to apply for asylum – but the reasons aren’t always enough to get a residence permit.

You may not be able to stay in Sweden. It is not your fault if your asylum application is refused. The authorities and courts use the Aliens Act to determine who has the right to a residence permit.

Waiting to find out whether you can stay in Sweden or not can be hard. It can affect the feelings in your body. Feelings are natural – your body needs them. It is good to show your feelings. It is important for your body to let your feelings out and to talk about your thoughts. Talk to your guardian, an adult at your school or another important person about how you feel. If you can’t talk about how you feel perhaps you can write or draw what is on your mind.

It is important to have something to do during the daytime. Get up in the morning, go to school, meet teachers and classmates. Do things that you think are fun.

What you learn here in Sweden while you wait to find out whether you can stay or not can never be taken away from you. No matter what happens in the future, you take what you have learned with you no matter where you are, either here in Sweden or in another country.

Feel free to contact us at the Migration Agency if you have any questions. www.migrationsverket.se
Children

In Sweden you are a child until you turn 18.

Sweden has signed the UN convention on the Rights of the Child (in Swedish: Barnkonventionen). UN means United Nations. Almost all of the world’s countries are members of the UN. The UN is an organisation that cooperates for peace and human rights.

The children’s convention contains the rights that all children should have. Sweden and almost every other country in the world have promised to follow the children’s convention. The children’s convention consists of rules that describe what your rights are as a child.

The rules are called articles and they say that
- you have the same rights as other children (article 2)
- your best interests should always be important (article 3)
- you have the right to live and develop (article 6)
- you have the right to say what you think (article 12).

Asylum-seeking children have the same rights as other children in Swedish society.

This means for example that
- you have the right to have your say. This means that if you want to, you have the right to say what you think and feel and adults must listen to you and your needs when they make decisions regarding you
- you have the right to medical care and dental care if you need it
- you have the right to go to school.

Adults cannot decide whatever they want about you, not even your parents. Adults are for example not allowed to hit you or threaten you. You have the right to your own body and nobody is allowed to harm it. You yourself have the right to decide for example whom you fall in love with and whom you want to marry.

You will meet people from different authorities

The Migration Agency is responsible for, among other things
- investigating and deciding whether you have the right to asylum or not
- appointing a public counsel. This is a person who knows the Swedish laws and who will help you with your application for asylum. A public counsel is a lawyer or solicitor and does not work at the Migration Agency
- providing financial support – if you don’t have any money of your own
- helping you get in contact with your parents if it is possible
- helping you with your journey from Sweden if you cannot stay here
- assigning you to a municipality for accommodation.

The municipality is responsible for, among other things
- investigating your needs and making decisions on initiatives and placement in suitable accommodation
- your right to go to preschool, school and secondary school
- assigning a guardian for you
- something called the social services. In the social services, the staff work according to a law called socialtjänstlagen, the Social Services Act. This law is about your right to care and treatment. It contains rules for how society should help everyone who needs help and can’t get it from anyone else.

The medical services is responsible for
- providing dental care and health care for you.
What do the words mean?

Asylum means place of refuge. When a person applies for asylum he or she applies for protection in a country that isn’t his or her home country.

The asylum process is the stages that the asylum seeker goes through, from application to decision.

An asylum seeker is a person who has travelled to Sweden and applied for protection. He or she hasn’t received a final answer to his or her application.

Application refusal means that a person has had their application turned down. He or she cannot stay in Sweden.

Children means anyone who is under the age of 18.

Decision on an asylum case is when the Migration Agency has decided whether an asylum seeker can stay in Sweden or not.

Daily allowance is an allowance that an asylum seeker can apply for if he or she doesn’t have any money of his or her own.

Judgement. Most of the decisions made by the Migration Agency can be appealed to a court. When a court makes a decision it’s called judgement.

A refugee is a person who has applied for asylum and can stay in Sweden on refugee grounds.

A guardian is a person who takes care of the interests of asylum-seeking children when their parents cannot do so. A guardian can be a man or a woman.

An authority is a state agency that is controlled by the government. The authorities make sure that society works the way it is supposed to according to the laws decided by the parliament.

A public counsel is a person who knows Swedish laws. The counsel will help you with your asylum application. A public counsel is a lawyer or solicitor and does not work at the Migration Agency.

The social services are represented in every municipality. Their staff work according to a law called the Social Services Act. The Social Services Act is about everyone in the municipality’s right to care. It contains rules for how society should help everyone who needs help and who cannot be helped by anyone else.

Residence permit means that a person has had their application for asylum approved. He or she can stay in Sweden.

The Aliens Act is a law that contains the rules for whether asylum seekers can stay in Sweden or not. Parliament makes decisions on these laws.

Appeal means that a person writes to an authority or court to say that he or she doesn’t agree with what the authority or court has decided. The person wants the authority or court to change the decision.
Asylum application – what happens then?

At the Migration Agency there are different units. You could say that a unit is an office. The first unit that you arrive at is the Application Unit. This is where you will apply for asylum.

YOUR ASYLUM APPLICATION IS REGISTERED
The Application Unit is responsible for receiving applications from people who are applying for asylum. When your application has been registered you have the right to be in Sweden while you are waiting for a decision on your application.

At the Application Unit you can get help phoning your parents or other relatives to tell them where you are and how you are feeling.

CONVERSATION WITH THE MIGRATION AGENCY STAFF
At the Application Unit you will meet the staff of the Migration Agency. They will ask you many questions, for example
• how you are feeling
• what your name is
• when you were born
• about your family
• if you have the address and phone number to your parents
• where you are from
• which language you speak
• how you have travelled to Sweden

• why you have left your home country and what you think will happen if you go back.

If you are scared of somebody or something it is important that you tell us about it.

The staff will ask these questions so they can enter you into the Migration Agency’s computer database. Then they will continue to work on your application. When you come to Sweden you will get similar questions from both the Migration Agency and the municipality where you live. This is because the Migration Agency and the municipality have different computer systems, not because you have given the wrong answers.

It is important for the Migration Agency to know the reasons why you cannot stay in your home country, and how you are feeling now. If you can’t or don’t want to say anything to the staff when they ask you, you can always contact the Migration Agency later. You can also do so if there is anything bothering you or if you have any questions.

SOCIAL SERVICES
Because you are under 18, you cannot decide where you will live. When you apply for asylum the Migration Agency will contact the social services in the municipality where you are. The social services are represented in every municipality. Their staff works according to a law called the Social Services Act. The Social Services Act is about everyone in the municipality’s right to care. It contains rules for how society should help everyone who needs help. It is the social services who will decide where you live.

Am I allowed to travel to other countries while I am applying for asylum in Sweden?

No, as long as you are applying for asylum in Sweden you are not allowed to travel beyond Sweden’s borders. If you leave Sweden your asylum application will not be considered.
If you have relatives in Sweden who you want to live with, the social services must agree that you can live there. If you don’t have relatives in Sweden who you can live with, you can live with a family or in special accommodation. The social services can help you with this. You won’t be able to choose a place and you may have to move to another place while you wait.

**GUARDIAN**

In Sweden you are a child until you turn 18. That means that you cannot decide for yourself in the same way that an adult can about things that affect you. If you come to Sweden without your parents you will get a guardian, an adult who can help with various things. For example, a guardian will be there when you talk to the Migration Agency, if you sign agreements or if you are under 16 and are going to apply for a daily allowance.

After your asylum application has been registered the Application Unit will apply for a guardian for you. The Migration Agency will send this application to the municipality. It is the municipality that you live in that appoints the guardian. Sometimes it will take some time before you get a guardian. The municipality will inform you when you get a guardian.

You will not live with your guardian. It is not the guardian’s responsibility to support you, that is, to make sure you have food, clothes and somewhere to stay. That is the responsibility of the Migration Agency and the municipality. A guardian is not sworn to secrecy. That is because your guardian is there instead of your parents and should safeguard your best interests. Parents are not sworn to secrecy.

**INTERPRETER**

So that you and the staff at the Migration Agency will be able to understand each other, an interpreter will translate what you say. The interpreter can speak both Swedish and the language that you speak. The interpreter will either sit in the same room as you or take part via telephone or video. Through the interpreter the Migration Agency’s staff and you can speak to each other. The interpreter will only translate what is said. The interpreter is sworn to secrecy.

It is important that you and the interpreter understand each other and that you dare tell everything when the interpreter is present. If you don’t understand the interpreter or if you, for example, are related to the interpreter, you must tell us.

**OBLIGATION OF SECRECY**

Obligation of secrecy means that the Migration Agency cannot reveal anything about you to someone who isn’t legally entitled to know. Everyone who works at the Migration Agency is sworn to secrecy. Interpreters and public counsels are also sworn to secrecy.

**PUBLIC COUNSEL**

A public counsel is a person who knows Swedish laws. He or she will help you with your asylum application. A public counsel is a lawyer or solicitor. Until you get a guardian the public counsel will act as your guardian.
What does the public counsel do?
A public counsel will help you with your asylum case and accompany you when you meet the Migration Agency to tell them your reasons for asylum. When the Migration Agency has decided that you will have a counsel you won’t have to pay for one.

IDENTITY
Identity is about who you are, what your name is, when you were born, where you are from and who your parents are.

Show us who you are
The Migration Agency wants to know who you are and where you are from in order to be able to make the right decision. It is your responsibility to show what your name is and where you are from. The best way to show your identity is by showing your passport or ID card, for example.

If you cannot show who you are it will be hard for the Migration Agency to assess whether you have the right to asylum or not. The Migration Agency can make decisions faster if you show who you are.

ASSESSMENT OF YOUR AGE AS A PART OF YOUR IDENTITY
If you don’t have any identification documents to prove your age you can show how old you are in other ways, for example by a medical age assessment.

Why is it important that I can show my age?
The Migration Agency wants to know who you are, your name and age, and where you are from. This information is a part of your identity.

It is important to know if you are older or younger than 18 years of age. If you are under 18 you have other rights than an adult asylum seeker.

Medical age assessment
If you don’t have any identification documents the case officer will inform you what you can do to prove your age. One possibility is to undergo a medical examination, a so-called medical age assessment.

A medical age assessment involves an x-ray of your teeth and a knee. Based on these exams a doctor can medically assess your age.

The staff at the Migration Agency can offer you the opportunity to undergo a medical age assessment if your age is unclear. The medical age assessment is free of charge, and you will receive more information if such an assessment is considered necessary.

If you accept the Migration Agency’s offer both you and your guardian must sign a paper to approve that the medical age assessment is done.

The Migration Agency estimates your age
The Migration Agency estimates your age based on all the submitted information, for example your school certificates, other certificates and the result of the medical age assessment.

If the Migration Agency estimates that you are older or younger than the age you told us when you applied for asylum the case officer will change your age in the Migration Agency’s documentation. If you are 18 years or older you will be treated as an adult asylum seeker.

If the Migration Agency changes your age to over 18 before you receive a decision on your application for asylum it may affect the support you are entitled to from us, and the municipality where you live. You will receive more information about this from your case officer.

If you do not agree with the Migration Agency’s decision
If you applied for asylum before 1 February 2017 the Migration Agency will make a decision about your age at the same time as your application for asylum is decided. If you do not agree with the decision about your age, you can bring this up if you choose to appeal the decision for asylum.

If you applied for asylum on 1 February 2017 or later you can receive a temporary decision regarding your age, which means that the Migration Agency can decide to register you as under or over 18 years before you receive a decision on your application for asylum. If you do not agree with the decision from us about your age you can appeal this decision.

Read more about medical age assessments at The National Board of Forensic Medicine (Rättsmedicinalverket) website. There are also films about how
When you apply for asylum, the Migration Agency will photograph you. The Migration Agency uses the photographs in its computer system and for Asylum Seeker cards.

What is an Asylum Seeker card (LMA-kort)?
LMA means the Act on Reception of Asylum Seekers. An Asylum Seeker card is a plastic card with a photo of you on it. You will receive the card after you have applied for asylum in Sweden. It is proof that you are an asylum seeker and that you can stay in Sweden while you are waiting for a decision.

If you are 16 years old or older and have assisted in showing who you are, you may have the right to work in Sweden while you are an asylum seeker. If so, it will be stated on your Asylum Seeker card.

FINGERPRINTS
The Migration Agency takes fingerprints to check if you have applied for asylum in Sweden or another European country before. If you are under 14 your fingerprints will not be used for any controls. Children under the age of six do not need to leave their fingerprints. Fingerprints are taken when you press your fingers against a machine that reads your fingerprints.

What does the Migration Agency do with the fingerprints?
The fingerprints are sent to several databases. One of these is in Sweden. In this database the Migration Agency can see if you have applied for asylum in Sweden before.

The European Union has another database called Eurodac. All of the EU countries, Iceland, Norway and Switzerland can see this database. If you have applied for asylum in one of these countries it will show in the database. These countries are called the Dublin countries.

The European Union has another database called VIS. If you have applied for a permit at an embassy of any of the EU member states to travel to any of the EU countries, for example as a tourist or to visit relatives or friends, it will show in this database.

What does the EU mean?
The European Union is called the EU. Sweden has been a member of the EU since 1995. 28 countries are members of the EU.
THE DUBLIN REGULATION
In the EU countries and Norway, Iceland and Switzerland there are rules about which country is responsible for an asylum application. The rules say that only one country considers the application. These rules are called the Dublin Regulation and apply as a law.

If you have been in another Dublin country before you came to Sweden, you may have to go back there. This can apply in the following cases:
• You have already applied for asylum in another Dublin country and had your application considered there.
• Your parents are living legally in another Dublin country.
• You have relatives in another Dublin country that can receive you and take care of you.

If another Dublin country is going to consider your asylum application you and your guardian will be called to a meeting at the Migration Agency. Your public counsel also has the possibility to be at this meeting which is called a communication.

What is a communication?
A communication is a conversation between you, your guardian and the staff at the Migration Agency. At this conversation you will receive information about the Dublin Regulation and that another country can become or has become responsible for considering your asylum application. You will also have the opportunity to say if you have any reason to not go to the other Dublin country. You can say why you want your application to be considered in Sweden instead. Your public counsel can also get the opportunity to write down why you don’t think that you should go to another Dublin country, and send this to the Migration Agency.

Appealing a Dublin decision
If you are not happy with the Migration Agency’s decision you are entitled to appeal the decision to a Migration Court.

The Migration Court will not consider why you have applied for asylum. It will only decide which country should consider your grounds for asylum.

If you have appealed your Dublin decision, this means that you don’t have the right to stay in Sweden while the Migration Court considers your case. Your journey to the other Dublin country will only be suspended if the Migration Agency or the court says that the journey should be suspended.

If the Migration Court decides that you must travel to another Dublin country you and your guardian will be called to a meeting at the Migration Agency. You will be informed that you will travel to the country that is written in your decision. The decision is called a transfer decision. You will also find out your travel arrangements. Staff from the Migration Agency will accompany you on the journey. Staff from the authorities in the country you arrive at will meet you.

Appealing the Migration Court’s Dublin decision
If you are not happy with the decision you can appeal to the Migration Court of Appeal. If the Migration Court of Appeal wants to consider your appeal it is this court that decides if your application will be considered in Sweden or in another Dublin country.

If the Migration Court changes the Migration Agency’s Dublin decision the Migration Agency can appeal the decision to the Migration Court of Appeal. If the Migration Agency appeals the Migration Court’s decision it is the Migration Court of Appeal that decides whether it will consider the appeal. If the court wants to consider the appeal it is this court that decides whether your appeal will be considered in Sweden or in another Dublin country.

If the Migration Agency does not appeal the Migration Court’s decision, the asylum process will continue in Sweden. The Migration Agency’s staff will then summon you to an asylum investigation.

If you wish to know more
The Dublin Regulation applies in the following EU countries:
Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Great Britain, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

The Dublin Regulation also applies in Norway, Iceland and Switzerland even though they are not EU members.
After registration – what happens then?

After you have applied for asylum you will be registered at a Reception Unit.

The Reception Unit is responsible for keeping in touch with you and your guardian while you wait for your decision and for some time after the decision. The staff at the Reception Unit do the following things, among others:

• Determine if you are entitled to a daily allowance – if you don’t have any money of your own.
• Inform you when a decision has been made on your case – if your asylum application has been granted or refused.
• Provide support if your asylum application is refused and you are to return home.
• Help you get in contact with your parents.

You and your guardian will be called to a meeting at the Reception Unit. At this meeting you can tell us who you are, where you are from, about your family and how you are feeling. You will talk about what will happen while you are an asylum seeker. You will have the opportunity to ask questions.

At the Reception Unit you can also get help to phone your parents or other relatives to let them know where you are and how you are feeling.

DAILY ALLOWANCE

If you don’t have any money of your own you are entitled to apply for a daily allowance from the Migration Agency.

If you are over 16 you have the right to apply for and care for your daily allowance and special grant yourself. You will then get your own bank card that holds the daily allowance and special grant. If you are under 16, it is your guardian who is responsible for your money.

This money should be enough to cover your personal needs, for example clothes, shoes, medicines and leisure activities. If you have special needs you can also apply for a special grant.

Special grant

If you have a special need for something, for example glasses, winter clothes or something that you can’t manage without and that the daily allowance doesn’t cover, you and your guardian can apply for a special grant. If you are younger than 16, it’s your guardian who will fill in an application. If you are 16 or older you can apply yourself. It is important that you explain why you need a special grant. The application is submitted to the Reception Unit, which then makes a decision. Your application for a special grant can be granted or turned down. If you are not satisfied about the decision about the special grant, you can appeal it.

HEALTH

You have the same right to health care and dental care as all other children in Sweden. If you need to visit a hospital, care centre or dentist, take your Asylum Seeker card with you.
The Migration Agency will send your name and address to the health care system so they can contact you for a free health check-up. At the examination you will have the opportunity to talk to the healthcare professionals at a care centre about your health and give samples.

Mental illness – to feel depressed and sad
It is common to feel worried about what will happen in the future while waiting for a decision on your application for asylum. Some may also feel bad because they have been involved in nasty events in their home country or during the flight to Sweden.

You can get help and support from the health care centre in your county. You can visit a health care centre not only if you have, for example, a sore throat or a broken leg, but also if you feel bad mentally, if you have anxiety, can not sleep or feel sad and depressed.

You can talk to your reception officer who can advise you on where to turn. Your guardian or another adult you trust can help you to contact the health care provider. On the site www.umo.se/Att-ma-daligt/ there is also information about what to do if you feel bad. There are also phone numbers and addresses for places where you can get help. The information is also available in Arabic, Dari, English, Somali and Tigrinya. Read more about which organizations can provide advice and support on page 24.

SCHOOL
You have the same right to go to preschool, compulsory school and secondary school as other children who live in Sweden. You have the right to study all subjects and receive tuition in your own language. You shouldn’t have to wait until you have learned Swedish to continue to develop your knowledge. It is the municipality you live in that sees to it that you go to school.

What is a preschool?
A preschool is an educational institution for children from age one until they start school. Children start attending preschool at different ages and go there for different lengths of time depending on their parents’ jobs, studies or the child’s need for a place at the preschool based on the family’s situation.

What is a preschool class?
Children attend a preschool class the year before they start the first year at compulsory school.

What is a compulsory school?
Compulsory school is for all children between the ages of 7 and 16.

What is an upper secondary school?
All young people in Sweden who have finished compulsory school have the right to apply for a three-year upper secondary school course – a national programme. An upper secondary school education provides basic skills for further studies and for future life as a working adult.

In order to be accepted to an upper secondary school you must have a passing grade in several subjects from compulsory school: 8 subjects for vocationally-oriented programmes and 12 subjects for programmes seen as a preparation for further studies. If you don’t have enough passing grades from compulsory school you can study at an introduction programme. An introduction programme is intended to help students to move on to a national programme or to get a job. An introduction programme, language introduction, is for young people who have not been in Sweden for long and who need to learn more Swedish based on their own needs and wishes.

A person who is between 17 and 24 years old and studies at an upper secondary school programme can in some cases get a longer residence permit in order to be able to finish their education.

The Migration Agency helps you get in contact with your parents
The Migration Agency and your guardian will try to help you to get in contact with your family. At the first meeting the Reception Officer will ask if you have any contact with your parents and if you know where they are.
After you have applied for asylum you will be summoned to an asylum investigation. It may take a long
time before you can come to an asylum investigation. The waiting times can also differ from one person to
another.

**HOW DOES AN ASYLUM INVESTIGATION WORK?**
The asylum investigation is a conversation with the Migration Agency where the officer will ask you what has
happened to you in your home country and what would happen if you returned there. The Migration Agency will also
ask you how you travelled to Sweden and examine your identity, for example your age and your family. You should
bring documents such as your passport and other identification documents that show that what you tell us is true.

Being in an asylum investigation can be hard. The investigation takes between two and three hours and you will get
questions about things that can be hard or embarrassing to talk about. It is important that you tell the Migration
Agency the truth, even if it’s hard, and try to answer all questions as well as you can. If you get the same questions several
times it doesn’t mean that you gave the wrong answer, but that the officer needs more information. If you need to take a
pause you can ask the officer for a break.

Just like at any other meeting at the Migration Agency it’s important that you understand the interpreter so that you
understand what is said and what you must do. Remember to say if you don’t understand the interpreter.

Your story is written down in a record. A record is notes about what you have said. The Migration Agency will send the
record to your public counsel who will go through it with you and your guardian after the conversation. If there are any
mistakes it is important that your public counsel informs the Migration Agency so that they are corrected – otherwise it
will be difficult for you to explain what is correct later on.

**Who will be at the asylum investigation?**
You, your guardian and your public counsel will be present at the asylum investigation. One person from the
Migration Agency will conduct the investigation and write down a record. Sometimes there are two people from
the Migration Agency; then one will conduct the investigation and the other person will write down the record. There
will also be an interpreter in the room. The interpreter is not an employee of the Migration Agency; he or she is from a
company that provides interpreters.

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**The Aliens Act** (in Swedish: Utlänningslagen) is the law that includes the rules for whether you can stay in Sweden or not.
The law was decided by Sweden’s parliament.
Asylum decision – what happens then?

After you have attended the asylum investigation the Migration Agency will make a decision. When the Migration Agency makes a decision on your asylum case, what you have told in the asylum investigation is compared with the information that the Migration Agency has about the situation in your home country.

THERE ARE DIFFERENT GROUNDS FOR ASYLUM

**Refugees**

A person who may be subjected to persecution if they go back their home country can stay in Sweden as a refugee if he or she cannot obtain protection in his or her home country – and if the persecution he or she is subjected to is a result of his or her

- origin, that is, national or ethnic origin (for example skin colour)
- nationality, for example citizenship, linguistic or ethnic group
- religion
- political affiliation (for example opinions on how a country should be governed)
- belonging to a certain social group.

Two examples of certain social groups are boys and girls. Other examples of social groups are transgender people or homosexual or bisexual people. The Swedish concept “hbtq person” (in English usually “lgbt person”) stands for persons who in various ways differ from the idea of how boys or girls should behave, for example how they should feel, how they should look, or that a girl should fall in love with boys instead of other girls and so on.

In order to be granted asylum, the asylum seeker must risk being persecuted for one of these reasons and be so scared that he or she can’t or won’t use protection in his or her home country, for example police protection. According to the law this applies no matter whether the persecution is by the country’s authorities or if the country’s authorities can’t or won’t provide protection from persecution.

**Persons eligible for subsidiary protection**

Persons in need of subsidiary protection are people who are not refugees as defined by the law, but who are still afraid to return to their home country.

The person risks either torture, death penalty, or other inhuman or degrading treatment if he or she returns.

An asylum seeker can in some cases get a residence permit even if he or she doesn’t need protection from persecution. This requires extraordinary circumstances implying that a decision to deny residence permit would conflict with Sweden’s international obligations.

**TEMPORARY OR PERMANENT RESIDENCE PERMIT**

It is the Aliens Act that regulates who can stay in Sweden. The Swedish Aliens Act was published in 2006. The law was temporarily changed on 20 July 2016. The temporary law is valid for three years and imply that most people in need of protection will be granted temporary residence permits instead of permanent residence permits.

Children and families with children who applied for asylum before or at the latest on 24 November 2015 will get their application for asylum tried according to the Aliens Act and may be granted a permanent residence permit if they are in need of protection.

Children and families with children who applied for asylum on 25 November 2015 or later will get their application for asylum tried according to the new, temporary law, and may be granted a temporary residence permit if they are in need of protection. Those who are refugees will be granted a residence permit for three years, and those who are considered eligible for protection for another reason will be granted a residence permit for 13 months.

It’s your duty to honestly tell us what you have experienced and what you are afraid of. The Migration Agency will compare your story with what the law states and make a decision.
Residence permit – what happens then?

Residence permit means that you have received a YES to your application for asylum. You can stay in Sweden.

If you get a residence permit you and your guardian will be called to a meeting with the staff at the Reception Unit. At the meeting you will find out why you have been granted a residence permit. You will receive a certificate that shows that you have received a residence permit.

A permanent residence permit means that you have the right to stay in Sweden for as long as you want. A temporary residence permit means that you can stay in Sweden for a certain time, usually three years or 13 months. When your residence permit expires you can apply for an extension. If you still need protection you may be granted a residence permit for another two years. If you are between 17 and 24 years old and are studying at the upper secondary school level you will in certain cases have the possibility to be granted a longer temporary residence permit to complete your studies.

WHAT YOU AND YOUR GUARDIAN SHOULD DO WHEN YOU HAVE RECEIVED A RESIDENCE PERMIT

You and your guardian must visit the Swedish Tax Agency for registration. This means that you will receive a personal identity number with the last four digits.

One month after you have received a residence permit you will be discharged from the Migration Agency. Then you will no longer receive a daily allowance and your bank card will not work any more. If you need the money on the card it is important that you withdraw it before you are discharged from the Migration Agency. Your asylum case is then closed. The municipality where you live takes over full responsibility for you from this point.
Refusal – what happens then?

Refusal means that you have received a NO to your application for asylum. You cannot stay in Sweden.

You and your guardian will be called to a meeting at the Migration Agency if your asylum application has been refused. During the meeting you will receive help understanding the content of the decision. Whether you appeal the decision or not, you will be summoned to the Migration Agency to talk about your situation and your thoughts about the future.

If you want to accept the decision you can say that you accept the decision. This is called declaration of acceptance and means that you don’t want to appeal the decision. You cannot take back a declaration of acceptance.

APPEAL A REFUSAL

You and your guardian can appeal the decision with the help of your public counsel if you think that your situation has not been assessed correctly.

Appeal means that you and your guardian write to the Migration Agency to say that you don’t agree with what the Migration Agency has decided. You want the court to change the Migration Agency’s decision.
When you and your guardian appeal you can say that you want to have a meeting at the court. The meeting is called verbal negotiation. There you will have another opportunity to talk about what you have been through. It is the Migration Court that decides whether there will be a verbal negotiation or if the written information is enough.

The Migration Court will look at what they have received and see if more information is needed. Then the court will make a decision. The decision is called a judgement.

WHO WILL BE AT THE VERBAL NEGOTIATION?

A verbal negotiation is usually attended by a judge, three lay assessors and report submitter. The report submitter is a trained lawyer and prepares the negotiations. The judge is also a trained lawyer. A lawyer is a person who is trained in the Swedish legal system. Lay assessors are not trained lawyers. They have other jobs when they are not in court.

Now it is no longer the Migration Agency that makes the decisions.

The Migration Agency is one party (one side) and is represented by a Litigation Officer. The Litigation Officer is a trained lawyer. At the negotiations you are the other party (other side). You will be helped by your public counsel and guardian. The public counsel is a trained lawyer.

An interpreter will be there so that everyone can understand each other.

Appeal – Migration Court

Your public counsel will send your appeal to the Migration Agency who forwards it to a Migration Court. The Migration Agency considers your appeal to see if the decision should be changed. If the Migration Agency considers that there are no reasons to change the decision your appeal is forwarded to the Migration Court.
It is the judge who leads the negotiations and decides who can talk. At the negotiations you, helped by your public counsel, will have the opportunity to say everything you want to the judge and the lay assessors. When you have finished talking the Litigation Officer from the Migration Agency will have the opportunity to ask you questions. After that the judge may ask some questions. Then you and your public counsel will conclude by again explaining why you cannot return home. After that the Litigation Officer will explain what the Migration Agency thinks.

**DECISION FROM THE MIGRATION COURT**

The Migration Court will make a decision which is either approval or refusal.

**Approval** means that the Migration Court thinks that you can stay in Sweden. It is important that you know that the Migration Agency can appeal a judgement from the Migration Court in the Migration Court of Appeal. This means that the decision can be changed again. If the Migration Agency hasn’t appealed the decision within three weeks, the decision is upheld. You will then receive a residence permit. You and your guardian will be called to a meeting with the staff at the Reception Unit.

**Refusal** means that the Migration Court has said no. It won’t change the Migration Agency’s decision. The judgement from the Migration Court can be appealed to the Migration Court of Appeal, but the Migration Court of Appeal does not consider all cases.

**CAN ANYONE READ THE COURT’S DECISION?**

A decision in a court is called a judgement. The court’s judgements are mostly public, which means that other people can read them. If parts of the judgement are confidential (secret) they can only be read by the people affected by the decision. The actual decision (yes or no) is never confidential (secret). It is the Migration Court that decides about confidentiality.

**Approval** means that the Migration Court thinks that you can stay in Sweden.
The judgement from the Migration Court can be appealed to another court called the Migration Court of Appeal. In order for your judgement to be able to be considered you must have what is called leave to appeal.

Not all judgements are considered in the Migration Court of Appeal. It only considers judgements where there are very strong reasons or if an important legal issue must be considered.

If you are granted leave to appeal this means that your judgement will be considered by the Migration Court of Appeal.

**IF THE MIGRATION COURT OF APPEAL CONSIDERS YOUR CASE AND APPROVES YOUR APPEAL**

Approval means that the Migration Court of Appeal thinks that you can stay in Sweden. You will then receive a residence permit. You and your guardian will be called to a meeting with the staff at the Reception Unit.

**IF THE MIGRATION COURT OF APPEAL DOESN’T CONSIDER YOUR CASE OR IF YOUR CASE IS REFUSED**

If the Migration Court of Appeal chooses not to consider your case you cannot appeal this.

If the Migration Court of Appeal decides to refuse your case (say no) you cannot appeal this.

The reasons you have given have not been sufficient to get a residence permit in Sweden.

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If you aren’t granted leave to appeal from the Migration Court of Appeal, then the Migration Court judgement applies.
Return – what happens then?

If you have received a refusal (no) that cannot be appealed any more you and your guardian will be called to several meetings at the Migration Agency about the return. At these meetings you will talk together about the journey from Sweden.

You will talk about
- who will receive you when you arrive
- that the Migration Agency will help you if you travel back voluntarily
- that you and your guardian are responsible for providing the names and phone numbers of your parents or relatives, so the Migration Agency can contact them.

Each time the conversation ends with a recap of what needs to be done next. Often you and your guardian will receive one or several tasks to perform before the next meeting.

HOW DOES A RETURN WORK?
The Migration Agency’s staff will travel with you from Sweden to the country you are travelling to.

WHAT HAPPENS IF I DON’T WANT TO TRAVEL HOME AFTER THE DECISION ON REFUSAL OF ENTRY OR EXPULSION?
The Migration Agency works with your return only if you agree to travel back to your home country. If you don’t come when the Migration Agency summons you or if you show that you will not cooperate with your journey home, the Migration Agency will hand your case over to the police.

If your case is handed over to the police it is the police that are responsible for you complying with the decision of the Migration Agency and the court, in other words that you leave Sweden.

You have the right to go to school if your case is handed over to the police and you are entitled to financial support and health care as long as you remain in Sweden and as long as you have not turned 18.

BEFORE RETURNING
It is a good idea to take with you
- certificates that prove you have attended school
- any grades from school
- vaccination certificates
- addresses, email addresses and phone numbers to the people you want to contact at home.

If you want to and can ... tell your friends, schoolmates, teachers and other important people that you are leaving Sweden.
If you will turn 18 soon

According to Swedish law you become of age (an adult) when you turn 18. This means that you are no longer a child. You will be summoned to a “turning 18 meeting” where you will get information about what will happen when you turn 18.

Your case will be handled according to the rules that apply to adult asylum seekers. You must yourself handle your contacts with the Migration Agency. The same applies if the Migration Agency judges that you are 18 years old, even if you have said that you are younger than 18.

DAILY ALLOWANCE
You are responsible for your finances after you turn 18. At the meeting you will receive information about how the daily allowance works.

ACCOMMODATION
Your accommodation is no longer the responsibility of the social services. If you need help with accommodation you can stay at one of the Migration Agency’s accommodation centers. These are flats that the Migration Agency rents in certain locations in Sweden. You will not be able to choose the location. You can arrange your accommodation yourself, for example with relatives or friends. The social services can in some cases offer you accommodation until you turn 21 if you have special needs.

GUARDIAN
Your guardian’s mandate ends. You are now responsible instead. You are the one who must stay in touch with your public counsel and the Migration Agency.

PUBLIC COUNSEL
Not all adult asylum seekers have the right to public counsel. This means that your public counsel might not be able to help you anymore and you must yourself handle your contacts with the Migration Agency.

HEALTH CARE
The rules for health care are different when you are an adult. You will receive emergency health and dental care and treatment that cannot wait. It is the staff at the hospital or care center that assess whether you will receive treatment.

RETURN
If there is a decision that you are to return to your home country, there is no longer a demand that somebody has to receive you in your home country. This means that you can travel home without an adult having to receive you.

If you have a decision to return, you must leave Sweden within the time period specified in the decision, or immediately if no time period is specified. If you do not leave Sweden within the time period specified in the decision, there is a risk that you will get a re-entry ban, which means that you will not be allowed to travel back into Sweden for a certain time period.

You will lose your right to accommodation and financial support if you have received a decision of refusal or deportation and the decision is in force, or the period for voluntary departure has run out. This will apply to you if you are an adult and you do not have your own children under 18 years of age who have also applied for asylum in Sweden.
To important adults to a child who has applied for asylum

Adults are adults and children are children.

Parents are parents even though they have had to leave their country and apply for asylum. Parents are important for children and when parents are missing other adults are especially important.

Being an asylum seeker is not a normal situation – you have arrived in a new country and applied for asylum (protection). No-one chooses to leave their country voluntarily to have to apply for asylum – but the reasons for asylum aren’t always enough to get a residence permit.

Children are different individuals, just like adults. Children have questions, some ask questions about their situation, while others think about their questions but don’t dare ask them.

As an adult you play an important part. You are a person who can guide and support the asylum-seeking child in the situation that the child is in.

You can read this brochure with the child. Together you can read about the various stages that you go through as an asylum seeker.

Feel free to contact us at the Migration Agency if you have any questions. www.migrationsverket.se

An important adult can be

- mum
- dad
- other custodial guardian
- guardian
- relative
- teacher
- welfare officer
- staff from the Migration Agency
- person from a Non-Governmental Organisation
- accommodation staff for unaccompanied children.
More information and other organisations that can help you

**BRIS, Children’s Right in Society** is an organisation that works for the rights of children.
www.bris.se

**Individuell människohjälp, IM** is an organisation that works to prevent poverty and exclusion.
www.manniskohjalp.se

**Save the Children Sweden** is an organisation working for children’s rights. They have a free helpline for unaccompanied children – you can talk in Arabic, Dari, English, Pashto, Somali, Swedish and Tigrinya. The number is 0200-77 88 20.
www.raddabarnen.se
www.raddabarnen.se/helpline

**The Ombudsman for Children in Sweden** examines the rights of children.
www.barnombudsmannen.se

**The Red Cross** is an organisation working to protect and help people in need. If you want to, they will also help you search for your parents or relatives.
www.rodakorset.se

**Information Sverige** is a web portal for newcomers in Sweden. You can get information about how the Swedish society works for example concerning accommodation, education and health care.
www.informationsverige.se

**Kollpåsoc.se** is a website with information about your rights and possibilities for support from the Social Services.
www.kollpasoc.se

The film ”Vad händer nu?” (”What happens now?”) is for you who are an unaccompanied child in Sweden and are staying in an accommodation or in a foster home. In the film you will learn what happens during the first months in Sweden, which people you may meet and how the asylum process works. You can watch the film alone or together with an adult.
www.youtube.com/c/socialstyrelsen

**The book ”Välkomna Hit” (”Welcome”) will help you and your family to get to know the Swedish culture and the Swedish society.**
www.migrationsverket.se/Om-Migrationsverket/Fakta-om-migration/Informationsmaterial.html

**RFSL** works for the rights of homosexuals, bisexuals, transgender and queers. RFSL Newcomers works for asylum seekers and newcomers.
www.rfsl.se/verksamhet/newcomers/asyl/

**Youmo** is an online youth guidance centre. Here you will find information about sex, health and relations in several languages.
www.youmo.se
TILL DIG SOM SÖKER ASYL
MED FÖRÄLDER ELLER ANNAN VÅRDNADSHAVARE