

Reception of asylum seeking and refugee children in the Nordic countries – the Swedish report.

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1. Statistics.

a. How many asylum seekers in the age 0-6, 6-17 have been received during 2002-2010?

Unaccompanied/accompanied?

Age structure of asylum seekers

Statistics regarding the age structure of asylum seekers was found for 2002-2005 (from Statistics Sweden¹). During these years, children constitute about 27-28% of the total number of asylum seekers.

A big share of asylum seekers is younger than 1 year old: In fact, during 2003, the biggest single age-group was children under 1 year of age (1 429 children). Under 2004 and 2005, a majority of children were under one year old.

Asylum-seekers 2002 by age at application in functional groups and sex

| | |
|-------------------------|-----------------------------------|
| 0-6 years | 4 503 |
| 7-17 years | 4 885 |
| Total number 0-17 years | 9 388 (28% of all asylum seekers) |

Asylum-seekers 2003 by age at application in functional groups and sex

| | |
|-------------------------|-----------------------------------|
| 0-6 years | 4 360 |
| 7-17 years | 4 213 |
| Total number 0-17 years | 8 573 (27% of all asylum seekers) |

Asylum-seekers 2004 by age at application in functional groups and sex

| | |
|-------------------------|-----------------------------------|
| 0-6 years | 3 314 |
| 7-17 years | 3 236 |
| Total number 0-17 years | 6 550 (28% of all asylum seekers) |

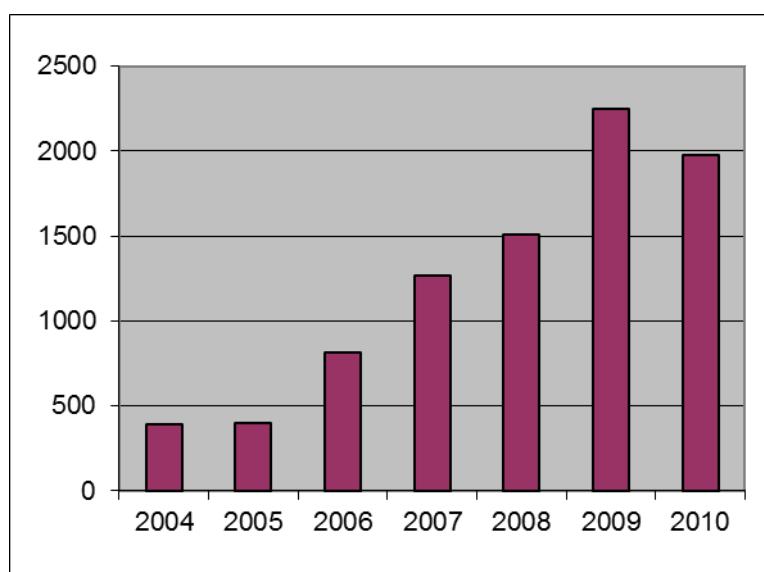
Asylum-seekers 2005 by age at application in functional groups and sex

| | |
|-------------------------|-----------------------------------|
| 0-6 years | 2 504 |
| 7-17 years | 2 294 |
| Total number 0-17 years | 4 798 (27% of all asylum seekers) |

During 2008 6 232 children in the age 0-17 applied for asylum, in the year 2009 6 577 and in the first 10 months of 2010 8 867 children.

¹ Publikationen "Migration 2002, In- och utvandrning och asylsökande" från 2002, 2003, 2004 och 2005. SCB

Diagram. Number of unaccompanied minors in Sweden during 2004-2010*.



* 2010= jan-oct only.

b. How many of these have been granted asylum?

Numbers for unaccompanied children

The share of unaccompanied children who has been granted asylum has varied significantly during the last years. 2003 about 40% were granted permanent residence. During 2004 and 2005 the share went down to 25% and 18% respectively. In 2007, the proportion increased to 48% and in 2008 to 80%, to again fall slightly to in 2009 to 62%.

(”Hur har det gått? Ensamkommande barn – mottagandet sedan kommunerna tagit över boende och omvårdnad”, Rädda Barnen 2008, s 9; “Aktuellt om ensamkommande barn och ungdomar, November-December 2009”)

Temporary law

In November 2005 the government instituted a temporary law that made it possible for asylum seekers whose applications had been turned down, to get their cases tried once more. The law was especially aimed for families with children who were living in hiding. During the time the law was in place (1/10-2005 – 31/3-2005) 31 000 cases were examined. 17 000 were granted residence permit (of which 13 021 were permanent permits and 4 163 temporary permits). Families with children constituted the biggest share of those who were granted asylum, among those 76% received residence permit.

c. From which countries of origin were they?

Asylum-seeking children in families 2002-2008:

| | | |
|-------------|--|------|
| Afghanistan | | 1043 |
| Iraq | | 7926 |
| Somalia | | 2488 |

| | | | |
|-----------------|--|--|-------|
| Other countries | | | 32886 |
|-----------------|--|--|-------|

Unaccompanied minors 2002-2008:

| | | | |
|-----------------|--|--|------|
| Afghanistan | | | 765 |
| Iraq | | | 1728 |
| Somalia | | | 924 |
| Other countries | | | 2074 |

Temporary residence permit

The issuing of temporary residence permits is relatively uncommon. During 2006-2007, the share of temporary permits of total number of permits issued ranged from 1-5% among families with children. In 2004, the share was 13% and in 2005 8.7%.

Less than 1% of unaccompanied children received temporary permit during the period 2006-2008.

Number of undocumented children/children in hiding/undocumented children

The Governmental Official Report regarding the right to education for children in families who have gone into hiding², estimates of the number to 1 000-1 500 children at the end of the year 2006. (See more under 4a). It should be noted that the estimation only includes children who live in hiding due to a refusal of their application of asylum, not all undocumented children.

In the European Observatory on Access to Healthcare for Undocumented Migrants by Médecins du Monde (MDM), 42% of those interviewed in Sweden reported having children under the age of 18 and 41% live together with one or more of their children (general numbers of European Survey). (European Observatory on Access to Healthcare for Undocumented Migrant, MDM 2009, s 57).

d) How long does it take in average terms in your country for an asylum seeker to get an answer between the time of his/her asylum application and the final decision from the authorities?

The target of the Board of Migration is to examine the application of asylum within 6 month (Homepage of the Board of Migration).

Statistics from the Board of Migration gives the following figures of the Board of Migration's average time to consider an application only includes (does not include time during appeal):

| | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 |
|----------------------------|------|------|------|------|------|------|------|
| Children in family, days | - | - | 337 | 270 | 195 | 178 | 257 |
| Unaccompanied minors, days | - | 223 | 194 | 116 | 148 | 185 | 174 |

Appendix 1 "Diverse statistik om barn 2002-2008, Migrationsverket

² "Skolgång för barn som ska avvisas eller utvisas", SOU 2007:34

2. Health examinations.

a. Are health examinations voluntary/compulsory? Are they accepted by the asylum seekers, by the general public?

Health examinations are voluntary. The proportion of asylumseekers that is examined seems to depend primarily on the health organisation and varies greatly between different counties. During 2008 65% of all new asylumseekers were examined which was a considerable increase from previous years. More than 10% were examined twice! which demonstrates some of the problems with the organisation of this examination... In 2009, however, only 38% were examined, a similar proportion as during the years before 2008 http://www.skl.se/web/Asylsokande_1.aspx

b. Who funds them? State, community, individual?

State funded.

c. Which percentage of all asylum seeking children/of all refugee children actually go through a health examination?

No Statistics available on children only.

d. Which health service has the responsibility of doing these health examinations? Integrated into ordinary primary care? Hospital clinics? Special refugee clinics? Etc.

Organisation varies between counties. In some counties these examinations are made by private entrepreneurs, in others county-run special clinics and in some they are integrated into primary care.

e. Do national guidelines exist? If so, which national body made them? Do they have any particular section that deals with the situation of children? If possible, please attach a copy of the guidelines.

The National Board of Health and Welfare has the responsibility for providing guidelines for this health examination. The most recent one is from 1995 and has been replaced by local

guidelines in many places. A project to produce a new manual from The National Board of Health and Welfare was initiated in 2009.

f. Professional disciplines involved; Paediatrician? Child and psychiatry involved in any way?

Varies greatly.

g. Somatic content: Infectious disorders, dental health, nutritional, room for individual needs of health and medical care?

Varies greatly.

h. Psychological content: Are psychological issues regarding children mentioned in guidelines? Is there even a structured interview? Are psychological/psychiatric issues often raised during the examination.

Some psychological issues are mentioned in the old guidelines. In practice this examination primarily deals with infectious disease in most places.

i Are there any centres that have extensive experience in doing health examinations in children and have documented their experiences?

No.

j. Are there any general problems on the organisational level in providing health examinations?

Yes, see above.

k. Is there a national body that has the responsibility of supervising and evaluating health examinations and to develop the content of this health examination?

Yes, The National Board of Health and Welfare. But little has been done since 1995. A new project which aims to produce new guidelines was initiated in 2009 however.

l. Have any reports been published that deals with, are based on these health examinations? Please attach, if possible?

No.

3. Health services.

a. Are there any restrictions in access to health, medical, psychiatric care, drugs for asylums seekers in general? For children?

No, asylum children have the same access to care, including dental care, as permanent residents in Sweden.

b. Are health services for asylum services integrated into the national health service system? If not how are they organised and who provides them?

Health services for asylum seekers are provided by the county councils through an agreement with the state. The organisation varies by counties. In most counties this care is integrated into the care for residents. In Stockholm primary care for asylum seekers has been provided by a private entrepreneur during quite a few years. This care has been heavily criticized for having an unacceptable low quality (see <http://www.dagenssamhalle.se/zino.aspx?articleID=14380>)

c. Do you have any centres of excellence in terms of providing health care, medical care and psychiatric care for asylums seekers? With a special focus on children? Please attach any available documentation.

None found.

d. Are NGO's involved in providing health services for asylums seekers in any way?

No.

e. Are there any good examples of strategies for collaboration between medical/psychiatric services and social services, schools etc regarding asylum-seeking and refugee children.

Yes, in Lycksele in northern Sweden, Lars H Gustavsson and colleagues developed a close collaboration between the social services, health care and education in the reception of newly settled refugee families in the late 1980's. This model was very influential in the reception of refugees in smaller communities in Sweden for about 10 years. Lars recently documented this work in a report for Allmänna Barnhuset (pages 43-54) which can be downloaded at: http://www.allmannabarnhuset.se/data/files/Satsa_p_barnens_vardagsmilj_er.pdf

f. Is there a national body that has the responsibility of supervising and evaluating health services for asylum seekers? National guidelines/reports? Please attach if available...

The National Board of Health and Welfare has this responsibility. The last evaluation was published in 2000 <http://www.socialstyrelsen.se/publikationer2000/2000-77-8> .

4. Education.

a. Are there any restrictions in access to education for asylum seekers?

Asylum seekers:

Asylum seeking children have the right to attend school on almost the same terms as children resident in Sweden. The differences regard the fact that there is no compulsion to attend school for asylum seeking children. Moreover, the right to attend upper secondary school only applies to children who began their course before the age of 18. It is the municipality where the asylum seeking child stays, which is responsible for offering education. The municipality then receives compensation from the state.

In the report "School attendance of asylum seeking children" by the Swedish Agency for Public Management ("Uppdrag att följa upp de asylsökande barnens skolgång", Statskontoret, 2004) the question to which degree asylum seeking children receives the education they are entitled is assessed. It concludes that there are deficiencies regarding the content and the extent of education. ("Uppdrag att följa upp de asylsökande barnens skolgång", p 14)

One problem highlighted by the report is the fact that the municipality does not have the obligation to approach asylum seeking families in order to inform about school, preschool and child-care. ("Uppdrag att följa upp de asylsökande barnens skolgång", p 9) This means that the degree to which parents receives information about the right to education of their children varies between municipalities. The municipalities do not always receive information from the Board of Migration when asylum seeking children move into their area; especially in the case of younger children. ("Rätten till utbildning – Om elever som inte går i skolan", Skolverkets rapport 309, 2008)

Most municipalities only offer child care (1-3 years of age) to children whose parents work or study. This means that a majority of asylum seeking children are excluded from child care. Children also have the right to attend child care if the municipality deems there are special needs; such needs should be assessed through visiting work. The report observes that the visiting work is rare in many municipalities, and that some municipalities have a restrictive understanding of when to offer child care to asylum seeking children. One reason could be that it is not clear if the costs would be compensated for by the state. When it comes to preschool (from 4 years of age), the report concludes that asylum seeking children seems to be offered access on the same terms as children resident in Sweden.

From the age of six, children are entitled to attend preschool classes. Thereafter they are entitled to attend compulsory school. When it comes to school education, the responsibility to inform the parents lies with the Board of Migration. According to the report, in 2003 there were about 1000 children between 6-16 years old who were registered with the Board of Migration without being enlisted at a school. This may indicate that some children never receive information about the right to attend school.

The law states that asylum seeking children should be offered education as soon as it is deemed to be adequate, considering their personal situation, but it should not take more than one month. According to the report, the time ranges between 2-10 weeks.

When it comes to the extent of the education, the report estimates that only about 20% of the municipalities studied³ offers full school-day. The tuition provided is between 10-50% less than normal. This also holds for upper secondary school, where asylum seeking children are offered less tuition than children resident in Sweden. On average, tuition is provided 18-22 h/week for asylum seeking children, compared to the normal schedule of 35 h/week.

The law states that the tuition of asylum seeking children should take the individual students needs and qualifications into consideration. That formulation, however, does not mean that the tuition offered should be reduced, but there should be an individual assessment in each case. ("Förslag till mål och riktlingjer för nyanlända elever", Skolverket 2007, s 20)

Undocumented immigrants

According to the Swedish law, undocumented children/children in hiding do not have the right to attend school, preschool or school-age child services. (Förordning 2001:976) However, the municipality has the possibility to offer education to children who are not Swedish residents, and undocumented children/children in hiding can be considered as part of this group. This means that the decision to accept undocumented children, resides with the individual school. There is no duty for schools to notify the police about undocumented children/children in hiding. ("Rätten till utbildning – Om elever som inte går i skolan", s 43)

In 2007 a Governmental Official Report regarding the right to education for children in families who have gone into hiding was presented ("Skolgång för barn som ska avvisas eller utvisas", SOU 2007:34). Based on reports from the Board of Migration and the Police, the report estimated the number of children who live in hiding to 1 000-1 500 at the end of the year 2006. It should be noted that the Official Report only discuss children who live in hiding due to a refusal of their application of asylum (and the statistics apply to this groups). If all undocumented children (i.e. also children who have never applied for residence permit) were included, the number would probably be higher.

The report estimates the following age structure of the children:

| Age (year) | Percentage | Number* | |
|------------|------------|---------|-------|
| 0-3 | 29 | 290 | 435 |
| 4-5 | 13 | 130 | 195 |
| 6 | 7 | 70 | 105 |
| 7-9 | 18 | 180 | 270 |
| 10-12 | 13 | 130 | 195 |
| 13-15 | 12 | 120 | 180 |
| 16-18 | 8 | 80 | 120 |
| Total | 100 | 1 000 | 1 500 |

SOU

2007:34,

s

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* Number calculated based on the age structure offered by the statistics from the Board of Migration, related to an assumption of 1000 and 1500 children respectively.

³ Case-studies ("djupstudier") were carried out in 6 municipalities, and interviews in an additional 20 municipalities.

This means that 40% of the children are in the age of preschool, 7% are 6 years which normally means enrollment in preschool classes, 40% are in the age of attending compulsory school and 8% upper secondary school.

According to the report, it is relatively common that children, whose application of asylum was refused, continue in the school where they are already enrolled. However, they seldom start in a new school, or attend preschool. (SOU 2007:34, s 122).

The Official Report proposes that children in families who have gone into hiding to avoid the enforcement of a refusal-of-entry or expulsion order are entitled to all forms of schooling in the public educational system, including preschool and school-age child service. However, compulsion to attend school for this group is not proposed. At the moment, there no plans of the Government to implement the recommendations of the Official Report have been presented.

b. Are educational services for asylum services integrated into the national educational system? If not how are they organised and who provides them?

As described above, the same rules apply to asylum seeking children and children resident in Sweden. This means that the educational strategies described under 4d also applies to asylum seeking children. In practice, municipalities often prefer that asylum seeking children stays in the "preparation classes" (see 4d) during the time their application are under consideration, even though the asylum process sometimes extends over several years. ("Förslag till mål och riktlinjer för nyanlända elever", Bilaga 1, Lägesbeskrivning, p 11)

c. Are asylum seekers often educated in their mother tongue?

See below (4d), as the same rules apply to asylum seeking children and children resident in Sweden.

d. Are there any special educational strategies for recently arrived foreign children in your school system?

When a foreign child is about to start school, the introduction most often begins with a meeting ("introduction talk") between the pupil, parents, an interpreter and representatives of the school (headmaster, teachers, etc). The purpose is to assess the pupil's language skills, educational history and health. In most schools the child is offered to see the school nurse, some municipalities also offer a medical examination. ("Förslag till mål och riktlinjer för nyanlända elever", Bilaga 1, Lägesbeskrivning, p 4).

The regulations states that there should be established an "individual development plan" (compulsory school) or "individual study plan" (upper secondary school) for each child in the Swedish school system. When it comes to newly arrived children, these plans are also part of the municipality's introduction plans. (see 6a) Insofar the child experience difficulties in their school work, there should also be an "action plan" ("åtgärdsplan"), specifying the special support the child is about to receive. In practice, these plans are not always established for new arrivers. In some cases, plans are only established when the pupils are transferred from

the preparatory classes to ordinary classes, which may take several years. ("Förslag till mål och riktlinjer för nyanlända elever" Bilaga 1, Lägesbeskrivning, p 21) Moreover, the plans should not only assess the pupil's knowledge of Swedish, but also their knowledge of other subjects. However, these assessments are seldom done. ("Förslag till mål och riktlinjer för nyanlända elever." Bilaga 1, Lägesbeskrivning, p 4) One reason may be that there is a strong focus on Swedish language skills in the school system, something that has consequences for several aspects of the schooling of new arrivals.

Studies shows that students who arrive to Sweden in the midst of their schooling, attain significantly lower results, compared to foreign children who arrived to Sweden before starting school. ("Förslag till mål och riktlinjer för nyanlända elever", Bilaga 1, Lägesbeskrivning, p 19). Among pupils who arrive during the last four years of compulsory school, 42,5% are qualified to study in upper secondary school and 35% completes upper secondary school within five years.⁴ (Statistics from the study "Vid sidan av eller mitt i? –om undervisningen för sent anlända elever i grund- och gymnasieskolan" by the Swedish National Agency for School Improvement, 2005, p 7) The study concludes that it is difficult to evaluate if this should be regarded a success or a failure, considering the enormous heterogeneity within this group. An interesting detail is the fact that, although only 35% of those who arrive late conclude upper secondary school, those who manage, receive as good results as those who had been in Sweden 5-8 years before starting upper secondary school. Socio-economical factors, as well as time in Sweden and sex (girls do generally better than boys), are the most important determinants for school performance. However, according to the report it seems as the educational strategies and forms of organization chosen by the schools also seem to influence the results. ("Vid sidan av eller mitt i?", p 23)

The reception routines varies hugely between municipalities, and this caused the Government to give the Swedish National Agency for School Improvement⁵ the task to elaborate a national strategy for the education of newly arrived children and young people. At the same time, in 2006, the National Agency for Education was given the task elaborate national goals and guidelines. In 2009, the Swedish Schools Inspectorate also made a report regarding education for newly arrived pupils. The following text is based on the findings in these reports⁶.

Structure and content of the education

In most municipalities, the newly arrived children are referred to "preparatory classes" (förberedelseklasser, FK) at compulsory school level. The preparatory class normally consists of 5-15 pupils, with lessons 21-30 h/week. ("Vid sidan av eller mitt i?", p 36). In these classes, there is a strong focus on education in Swedish as a second language. In some municipalities, pupils are parallel enrolled in "normal" classes, and follow some tuition with these classes. There are also municipalities, especially the smaller ones, where pupils start in ordinary classes already from the beginning. ("Förslag till mål och riktlinjer för nyanlända elever", Bilaga 1, Lägesbeskrivning, p 5)

⁴ The statistics includes all foreign children arriving during the last four years of compulsory school, not only refugee children. A majority has moved to Sweden due to family reunification. Asylum is the second most common reason.

⁵ The Swedish National Agency for School Improvement (Myndigheten för skolutveckling) was closed down in 2008.

⁶ It should be noted that these reports includes all newly arrived pupils, not only asylum-seekers and refugees.

In the preparatory classes tuition normally includes studies in Swedish and mathematics. Quite often, subjects such as physical education and health, and other practical or aesthetical subjects, are also included (sometimes taught together with ordinary classes). However, tuition in other subjects, such as natural- or social science or English, is rare. ("Utbildning för nyanlända elever", Skolinspektionens granskningsrapport, 2009:3, p 22).

Newly arrived pupils in the ages of 16-19 are most often referred to the so called "introductory courses", within the individual program at upper secondary school (Individuellt program, introduktions kurs, IVIK). The individual program is a construction within the Swedish school system that applies to students who finish compulsory school without qualifications to start an ordinary program. As with the preparatory classes, the introductory courses focus on studies in Swedish. The extent to which other subjects are included varies. ("Förslag till mål och riktlinjer för nyanlända elever", Bilaga 1, Lägesbeskrivning, p 13, "Utbildning för nyanlända elever", p 20) In some municipalities, pupils are referred to the courses in "Swedish for immigrants" (Sfi) and study together with adults. This may be a good option for some young people, who are focused on getting into the labour market as soon as possible. For others, with an interest in further studies, the course Swedish as a second language, which give qualification to enter upper secondary school, should be the option. The problem is when the choice is not based on individual considerations. ("Utbildning för nyanlända elever", p 20-21) An alternative offered in some municipalities is "folkhögskola", an alternative education form for youth and adults. ("Utbildning för nyanlända elever", p 13)

Several reports express concerns over what they describe as a "routine-like fashion" to refer pupils to preparatory classes/IVIK with a pre-defined content, without an individual assessment of the pupil. ("Utbildning för nyanlända elever", p 7, "Förslag till mål och riktlinjer för nyanlända elever", Skolverket 2007, p 22) The problem is not the preparatory classes/IVIK per se, they may offer several advantages such as small groups, focus on learning Swedish, possibility to concentrate resources, engaged teachers, etc. This may be especially important for children with mental health problems. ("Vid sidan av elelr mitt i?", p 46) However, considering the enormous heterogeneity among newly arrived children, the problem is the uniformity of the alternatives offered in most municipalities.

Another problem with the way the preparatory classes/IVIK are organized is the fact that pupils not always get the education they are entitled to. The law states that pupils have the right to get their knowledge assessed and this assessment should constitute the basis of the individual development/study plan. However, in practice, the assessment is often restricted to Swedish language skills. A common reasoning is that pupils need to learn Swedish, before they can proceed into studying other subjects.

One example is English. According to the curriculum, the English course does not require knowledge in Swedish. Never the less, it is common that newly arrived pupils are denied studies in English on the bases that they do not have sufficient mastery in Swedish. This is a problem, as a completed English course is a prerequisite to enter upper secondary school. ("Förslag till mål och riktlinjer för nyanlända elever", Bilaga 1, Lägesbeskrivning, p 19)

The reasoning that the student needs to master Swedish before studying other subjects, is especially problematic, as the time in preparatory classes/IVIK often extends over a long period; 1-2 years is common, but sometimes the period can extend up to four years. This means that several years of schooling will be lost. On the other hand, when pupils studies in

ordinary classes from the beginning, they do not always receive the extra support needed. ("Utbildning för nyanlända elever", p 22)

In the brochure "General recommendations for the education of newly arrivers" the National Agency of Education recommends schools that validation of the pupil's former knowledge is made in cooperation between the mother-tongue teacher, and the teacher of the specific subject. For the pupil, this validation may be an important acknowledgement that his/her knowledge has a value. ("Allmänna råd för utbildning av nyanlända elever", Skolverket, 2007, p 15)

The "Swedish National Agency for School Improvement" points to the need of developing more diversified means of evaluation, for example examinations and evaluations in the mother-tongue of the pupil. Another alternative proposed is to develop methods to carry out examinations with interpreter. ("Vid sidan av eller mitt i?", p 52)

Mother-tongue tuition

Pupils within the public school system are entitled to mother-tongue tuition⁷. There is, however, a restriction, as municipalities only have the duty to offer mother-tongue tuition in a specific language if it is requested by more than five pupils. (SOU 2007:34s 89)

A report carried out by the National Agency for Education in 2006, observed that since 2000 about 54% of the pupils entitled to mother-tongue tuition actually studied it. One problem is the lack of qualified mother-tongue teachers. ("Förslag till mål och riktlinjer för nyanlända elever." Bilaga 1, Lägesbeskrivning, p 7, from Skolverkets lägesbedömning 2006)

Study supervision in the pupils own language

The law also entitles pupils within the public school system to study-supervision in their own language when needed. (SOU 2007:34, p 89). The Swedish National Agency for School Improvement's report from 2009 express severe criticism regarding the extent to which study supervision on the pupils own language is offered, and it states that there is a lack of knowledge regarding the legislation within the municipalities. ("Utbildning för nyanlända elever", p 24)

Research referred to in the report, shows that knowledge development is enhanced when concepts are developed concomitantly on the mother-tongue and the new language. ("Utbildning för nyanlända elever", p 23). Study-supervision on the pupil's own language is thought as a tool to make it possible to introduce newly arrived children in ordinary classes at an earlier stage and to avoid that other subjects lay follow during the time it takes to achieve mastery in Swedish.

In practice, the report states that mother-tongue teachers sometimes fill the role of those who provide study supervision when pupils spontaneously bring questions to the classes. There is rarely a joint effort of the mother-tongue teacher and the teacher of the subject in question to plan for study-supervision based on an assessment of the student.

⁷ The right applies to children whose mother and/or father (or other primary caregiver) has another language than Swedish as mother-tongue, and for whom this is the language of day-to-day communication.

The “General recommendations for the education of newly arrivers”, as well as the report by the Swedish National Agency for School Improvement also recommends schools to offer tuition on the pupil’s own language when possible. (“Utbildning för nyanlända elever”, p 29, ”Allmänna råd för utbildning av nyanlända elever”, p 15)

Isolation and segregation

Another effect of the lengthy time it may take until newly arrived pupils are integrated in ordinary classes is the segregation this may create. Preparatory classes/IVIK is often located in separated parts of the school, sometimes even in separated buildings. In interviews with pupils, carried out as part of the report of the Swedish National Agency for School Improvement⁸, many of the pupils express a sense of isolation and segregation. (“Utbildning för nyanlända elever”, p 15). The studies conclude that the schools too often leave the responsibility for integration to the pupils themselves.

A majority of the pupils interviewed is satisfied with their school and their teachers, who they describe as supportive and positive. At the same time, many express loneliness, and describe difficulties to get friends among the other pupils at school. Some pupils also express a sense of discrimination from the teachers, who they claim assess their knowledge in other subjects, based on their Swedish skills. (“Utbildning för nyanlända elever”, p 16).

e. Are there any special psychosocial strategies for recently arrived foreign children in your school system?

The report ”School attendance of asylum seeking children” observes that a bigger share of the asylum seeking children need special support (extra tuition, psychological support, etc). It concludes that most municipalities try to meet these needs through pedagogical support, resource people, psychologists, etc. although they may lack the necessary resources (the report notes that this also happens with children resident in Sweden) (“Uppdrag att följa upp de asylsökande barnens skolgång” Statskontoret, 2004, p 26).

Social/psychological support seems to be relatively uncommon at upper secondary school. (“Vid sidan av eller mitt i?”, p 39)

f. Do you have any centres of excellence in terms of education or psychosocial support to recently arrived foreign children? Please attach documentation, if available.

One of the purpose of the study ”Vid sidan av eller mitt i?” carried out by the Swedish National Agency for School Improvement in 2005 was to identify success factors of the introduction of newly arrived children. The study also describes some positive examples, illustrating different ways in which the reception can be organized.

⁸ Interviews were carried out with pupils in the schools visited, and pupils were also asked to write down their experience of the meeting with the Swedish school.

A summary of the factors found in the study is presented below. As the study was carried out in 2005, some of the examples may be outdated. However, they will serve as a concretization of the factors found at time.

| Positive factors | Negative factors |
|---|---|
| Organisation and working methods are based on pedagogical considerations | Organization and working methods are based on economy, lack of knowledge and tradition |
| Individual solution based on the needs, knowledge, and interests of the child | Collective solutions |
| Tuition in different subject | Tuition only in Swedish as a second language and mathematics. |
| Cooperation between different stakeholders based on the needs of the child | No cooperation between stakeholders - School is left with the whole responsibility |
| The pupil are introduced to study with ordinary classes subject by subject | The pupil are transferred to an ordinary class at a single point in time |
| Preparatory classes/IVIK are integrated into ordinary school | Preparatory classes/IVIK are situated separate from ordinary school |
| The municipality has clear goals and guidelines regarding school introduction and takes a responsibility in evaluation. | The municipality lacks goals and guidelines. The responsibility is left with the individual school and headmaster, without demand for evaluation. |
| The pupil is offered parallel tuition in mother-tongue and Swedish. There is integration between the subjects. | The pupil is only offered tuition in Swedish |
| Pupils are integrated directly into ordinary classes, if they have chance of succeeding given the right support | All pupils are placed in preparatory classes/IVIK – no individual assessment |
| After transferred to an ordinary class, the pupil receives extra support if needed | No extra support offered |
| The amount of tuition given depends on individual assessment. | Same amount of tuition for all |

The study found several ways of trying to find individual solutions, for example through flexible time-tables (Kirseberg in Malmö is mentioned, “Vid sidan av eller mitt i?”, p 40). In Örebro municipality, newly arrived pupils study integrated at upper secondary school national programs, following individual time-tables. (“Utbildning för nyanlända elever”, p 21)

Many schools try to form ability groups in order to meet the different needs of the pupils:

Gunnared in Göteborg offers preparatory classes at three levels for children between 10-15 years:

- 1) Basic course (no, or incomplete, school history; need for alphabetization)
- 2) Complementing course (Alphabetized but needs to develop knowledge of other subjects)
- 3) Continuation course (Complete school history; needs knowledge in Swedish in order to begin in an ordinary class) (“Vid sidan av eller mitt i?”, p 59)

Rosengårdsskolan in Malmö has a similar system of ability groups, with a specific group for pupils in need of alphabetization. Moreover, Rosengårdsskolan offers study supervision on

the pupils own language. This is possible as a majority of the pupils are Arabic speaking. Study supervision is given by the mother-tongue teachers. (“Vid sidan av eller mitt i?”, p 69-70)

IVIK-Slussen in Stockholm constitutes an example of ability groups at upper secondary school level (16-18 years of age). There are four levels:

- 1) Illiterate
 - 2) Short school history and slow progression
 - 3) Short school history and fast progression
 - 4) Complete school history
- 1) (“Vid sidan av eller mitt i?”, p 63)

Younger children are quite often integrated directly into ordinary classes. This is the case in Gunnared in Göteborg (for children between 6-9 years old) and in Skellefteå. (“Vid sidan av eller mitt i?”, p 43)

Husbyskolan in Stockholm presents an alternative approach. There, newly arrived pupils receives five weeks individual introduction. Thereafter they are integrated into ordinary classes with extra support (“Vid sidan av eller mitt i?”, p 43).

In Bredbyskolan newly arrived pupils are integrated directly into ordinary classes. The school is situated in Rinkeby, a suburb of Stockholm with about 90% immigrants. As a result of the low social status of the area, there is a huge turnover of pupils during the course of the year. This is not only a result of new arrivers but also the fact that pupils often change to school in “better” areas, some of them only to return when their expectations were not met. In order to deal with this unstable situation, the teachers of one age-group form broad working-team. This renders flexible solutions possible, for example to set up temporary ability groups when needed. The pupils also have individual time-tables; some have, for example, scheduled time for doing their home-work at school. The study questions the effects of direct integration of new arrivers on the other pupils. However, given the circumstances, this way of organizing the reception may be a good alternative. (“Vid sidan av eller mitt i?”, p 60)

Umeå is mentioned as a positive example of a holistic view of the newly arrived pupils. In Umeå, the reception is concentrated to one school, Hedlundaskolan. The reception classes are divided into three stages, year 1-3, 4-6 and 7-9. Pupils are placed in a class according to age, and there are two ability groups of each “stage”. In total, there are about 70 children in the preparatory classes and about 15 people employed, including teachers, pedagogical assistants and psychologists. The mother-tongue teachers also offer study supervision. There are weekly meetings between the teachers, school nurse, psychologist and headmaster. A representative of the municipal department responsible for the reception of immigrants and refugees is also present. Moreover, the introduction of pupils into ordinary classes follows well established routines. (“Vid sidan av eller mitt i?”, p 66-68)

g. Is there a national body that has the responsibility of supervising and evaluating educational services for asylum seekers? National guidelines/reports? Please attach if available...

As the asylum seeking children are entitled to education on the same terms as children resident in Sweden, the same laws, regulation, curricula etc. applies to the two groups alike. Responsible for supervision and evaluation on national level are the Swedish Schools Inspectorate and the National Agency for Education.

At local level, the responsibility to evaluate the national goals for the school lies with the municipality. How these goals are going to be achieved are defined in the municipality's "school plan" (a steering document approved by the municipal council). However, the school plans of the municipalities, rarely mention newly arrived students. ("Förslag till mål och riktlinjer för nyanlända elever", Bilaga 1, Lägesbeskrivning, p 22). There is also a lack of statistics and systematic evaluation of the results of newly arrived students at the level of the municipalities. ("Utbildning för nyanlända elever", p 26). As a consequence, the success of the reception of newly arrived pupils depends to a high degree on the engagement of the individual headmaster and teacher. ("Förslag till mål och riktlinjer för nyanlända elever", Bilaga 1, Lägesbeskrivning, p 22)

The Swedish National Agency for School Improvement highlights the existence of explicit goals and guidelines and a well-defined organisation at municipal level as important factors for a successful reception. ("Utbildning för nyanlända elever", p 14).

In the study "Vid sidan av eller mitt i?" Malmö and Umeå serve as positive examples of two municipalities that have developed guidelines. In Malmö, the guidelines state, among other things, the size of preparatory classes (6-10 pupils), content of education routines of enrollment, etc. ("Vid sidan av eller mitt i?", p 64-66).

h. Are there any good examples of strategies for collaboration between medical/psychiatric services and schools etc regarding asylum-seeking and refugee children.

See above about Lycksele.

5. *Housing of asylum seekers*

a. Are housing asylum seekers integrated into communities? Or are they provided with special housing in camps etc?

Asylum seekers:

Since 1994, asylum seekers may choose to stay with friends or relatives (own accommodation, “eget boende”), or in accommodations provided for by the Board of Migration. About 50% of asylum seekers choose own accommodation. This number has been relatively constant since the end of the 90s, although, during the last years, the proportion has increased slightly. In 2008 56% stayed outside the housing system of the Board of Migration. A major part of those who organize their own accommodation live in the metropolitan municipalities (“storstadskommunerna”). 50% lives in the three major cities Stockholm, Gothenburg, Malmö and in Södertälje and Botkyrka (municipalities in the vicinity of Stockholm). (SOU 2009:19, s 128)

Preference of housing

The vast majority of the accommodations provided by the Board of Migration are in normal blocks of flats on average housing estates in municipalities, with which the Board of Migration has special agreements. These are mostly medium and small towns across Sweden. During “peaks” in the number of asylum seekers, temporary accommodation centers may also be used.

The guidelines of the Board of Migration states two people/room as a standard, and families should be provided with their own apartments. However, a study by the National Board of Housing, Building and Planning⁹ (Boverket) in 2008 shows that it is not unusual that families with children share apartment. (SOU 2009:19, s 131).

Refugees:

After granted residence permit, asylum seekers may choose where to live, if they can provide for their own accommodation. Otherwise the Board of Migration will refer the refugee to one of the municipalities with which it has an agreement. In that case, the municipality is responsible for providing housing.

During the last years there has been a debate regarding the possibility of asylum seekers to choose themselves where to settle down. Concerns have been raised that segregation becomes aggravated when asylum seekers opt for staying with their countrymen. This pattern means that a few municipalities take a disproportional part of the costs for introduction of refugees. Another concern regards overcrowding; especially the negative consequences for children and women have been highlighted. However, when it comes to the question of integration, the study by the National Board of Housing, Building and Planning¹⁰ concludes that the

⁹ “Asylsökandes eget boende, EBO, en kartläggning”, Boverket 2008. The study was carried out by Malmö Institute for Studies of Migration, Diversity and Welfare.

¹⁰ “Asylsökandes eget boende, EBO, en kartläggning”, Boverket 2008. The study was carried out by Malmö Institute for Studies of Migration, Diversity and Welfare.

proportion of asylum seekers who are unemployed are lower among those who organize their accommodation on their own. (SCB, 2009:19, s 133)

In order to increase the incitements for asylum seekers to stay in accommodations provided by the Board of Migration, the economical support for own accommodation was abolished in 2005. However, this had a negligible effect on the preferences of asylum seekers.

In 2007 the Swedish Government set up an inquiry to look into and propose changes regarding reception of asylum seekers, including the question of housing. The official report was presented in 2009 and it proposes changes in order to create a more organized system of housing for refugees. The two main proposals regarding housing are:

- Asylum seekers who choose their own accommodation will lose the daily allowances otherwise provided for by the Board of Migration, and refugees will lose 50% of their allowances.
- The establishment of temporary accommodation centers for the refugees during the first four weeks. After this period the asylum seeker will be referred to a municipality. The temporary centers should be located in normal blocks or flats, but they should preferably be grouped in common geographic areas. The reason for this stated in the report is to increase the efficacy and control during the asylum process, and to ensure better service for the asylum seekers, such as health examinations.

At the moment, however, there are no planned changes of the current legislation.

A summary of the studies included in the Official Report highlights three main reasons for asylum seekers to opt for own accommodation:

- A desire for normality, self-determination and control
- A will to stay close to family and friends, although this does not necessarily mean a will to share apartment
- Negative attitudes towards the accommodation centers provided by the Board of Migration (for example the geographical location, low standard and overcrowding)

Undocumented migrants

The European Observatory on Access to Healthcare for Undocumented Migrant by Médecins du Monde (MDM) includes some statistics on housing. According to the report, 86% of people living with at least some of their children under 18 years old are living in overcrowded accommodation (general numbers of European Survey). In Sweden 78.4% of undocumented immigrants in the survey lived in overcrowded accommodation (no specific statistics on families with children). In Sweden, cases of overfeeding of babies in order to keep them calm, were reported. (MDM, s 64)

b. Are any special concerns regarding the needs of children considered when housing for asylum seekers is planned and provided?

As described above, the guidelines of the Board of Migration state that families should be provided with their own apartments. However, this is not always the case, and overcrowding

is often a problem when accommodations are provided by the Board of Migration, as well as for asylum seekers who stay with relatives or friends. (SOU 2009:19, s 131)

The municipality is the one responsible for looking after the welfare of children under the Social Security Act. This applies to asylum seeking children, refugee children and children with Swedish residence permit alike.

c. How are housing, food and child-specific expenses organized and provided for children during their asylum period? What agency or service is in charge of it and how is it funded?

Asylum seekers who do not have their own savings or income, receives a daily allowance from the Board of Migration. It is intended to cover food, clothes and shoes, health and medical care, dental treatment, sanitary items, news-papers, phone calls, leisure activities, etc.). The allowance may be reduced if the asylum seeker does not cooperate with the investigation of the asylum application.

If the asylum seeker has its own household, the daily allowance in November 2010 was (<http://www.migrationsverket.se/info/2554.html>):

| | |
|----------------------------|---|
| Single adult | 71 SEK/day |
| Adults who share household | 61 SEK/day |
| Children (0-3 years) | 37 SEK/day |
| Children (4-10 years) | 43 SEK/day |
| Children (11-17 years) | 50 SEK/day (from the third child onwards this amount is halved) |

For asylum seekers staying in establishment where food is included, the daily allowance is:

| | |
|---|------------|
| Single adult | 24 kr/dag |
| Adults who share household | 19 kr/dag |
| Children (0-17 years) | 12 SEK/day |
| (from the third child onwards the amount is halved) | |

6. Community reception of refugees

a. Do national plans for community reception of refugees consider the special needs of children? Please provide documents if available.

b. Do communities generally consider the needs of children in their plans for refugee reception?

Municipalities receive a standard compensation from the Board of Migration for the refugees who settle within its area. Compensation is paid during two years on condition that an “introduction plan” is established for each refugee. The plans are individual and should be seen as a “contract” between the individual and society. They should include an assessment of the individual’s education and professional skills and need for further education and training, plans for learning Swedish, housing-situation, need for rehabilitation, etc. Regarding parents, it is specified that the parent, after completed the introduction, should have a “sufficient knowledge of the Swedish educational system to be able to meet his or her child’s needs for suitable development conditions.” (“Targets for the introduction of new arrivals”, Swedish Integration Board, 2006) The presence of a plan should help the municipality to coordinate the efforts of different actors.

As the condition of introduction plans apply to all refugees, this means that there should also be devised plans for refugee children, although children are not specifically mentioned in the law. (“Targets for the introduction of new arrivals”. The duty for the municipalities to establish integration plans for children is also mentioned in ”Allmänna råd om statens ersättning för flyktingmottagande”, s 13. Migrationsverket 2007)

The government bill 1989/90:105 states that the “introduction plan should include a mapping of the situation of the children and eventual need for support” (Homepage of the County Administrative Board: ”Kartläggning av barnens situation och eventuella behov av stödinsatser”; ”Introduktionsplaner och introduktionsprogram”).

The document ”Targets for the introduction of new arrivals” (Swedish Integration Board¹¹, 2006) specifies the following main target for children and young people:

- Attention is paid to children and young people’s opportunities for growth, and their prospects for a good life in Sweden are as favourable as possible.

And the following intermediate targets for general introduction:

- Each child or young person’s needs and personal circumstances should form the basis of an individual introduction plan, which includes the school’s individual development plan.

¹¹ The Swedish Integration Board was closed down in 2007, but the document is still in use and can be found at the homepage of the County Administrative Board, where it is edited in several languages.

- Children and young people who have come to Sweden without their legal guardians should have their specific needs met.
- Planning should be carried out working closely with the parents, appointed representatives, or trustees. They should play an active role and should be able to influence the initiatives carried out for and with the children or young people.
- Planning should include the option of active, beneficial leisure time
- The municipalities should follow the guidelines laid down in "Strategi för samverkan i frågor som rör barn som far illa eller riskerar att fara illa" ("Strategy for collaboration on issues affecting children who are doing badly or who risk doing badly" National Board of Health and Welfare and other authorities, reference number: 2004-107-11).

And the following intermediate targets for schools:

- Children and young people should have an individual development plan which takes into account their background and living conditions, and which parents are able to understand. The child's skills and experience are noted so that optimal learning takes place.
- The child is given access to his or her mother tongue, so that he or she can follow standard study plans.
- Promote healthy friendships at school and combat exclusion.
- the school introduces the child into Swedish society by taking an outward-looking approach and working with leisure activities, cultural institutions and organisations.

There is a strong focus of introduction plans to enhance the refugees entry into the labour market, which risks to make the introduction plans more of a tool for the refugees on working age, than for other groups, such as children.

In a study on education for newly arrived children by the Swedish National Agency for School Improvement, it is noticed that in most municipalities the "introduction plan" for children and youth only includes school introduction. This means that other needs, such as housing, economy, health, etc are left out. Despite that, in as much as 70% of municipalities, representatives from the schools do not participate in the establishment of the plans. This means that a big responsibility is put on the schools, without their staff having knowledge about the plans or possibility to influence on them. ("Vid sidan av eller mitt i? – om undervisningen för sent anlända elever i grund- och gymnasieskolan", Myndigheten för skolutveckling, 2005, p 33-34)

b. Is the situation and the needs of the children often in focus in the work of local social workers in community reception? How is this achieved? Structured interviews regarding the children??

c. Are there any good examples of strategies for collaboration between medical/psychiatric services and community services regarding asylum-seeking and refugee children.

d. Do you have any communities of excellence in terms of reception of refugee children? Please attach documentation, if available.

In order to develop the introduction of refugees, the idea is that the authorities involved at local and regional level enters into local agreements. However, it was not possible to go through these as part of this questionnaire.

The positive experiences mentioned in other part of the text, however, show that the way municipalities choose to organize the reception may have an influence. Examples are the effort in Skellefteå municipality to offer different kinds of accommodation for unaccompanied minors, depending on the needs of the young people, and the decision of the municipality to continue the support to the youths even after the age of 18. Another example is the employment of a social worker and a social assistant (“fältassisten”) designated to work with the unaccompanied minors. (See more under “unaccompanied minors”.)

“Välkomsten” in Gunnared district in Göteborg is another example of municipal coordination in order to develop methods of introduction of families. The local employment of mother-tongue teachers¹² in Rinkeby district in Stockholm, is another deliberate choice of the local authorities in order to support the schools in their introduction of children. (For more details see pages 75-78 in report http://www.allmannabarnhuset.se/data/files/Satsa_p_barnens_vardagsmilj_er.pdf).

The government is currently preparing a change in the legislation regarding introduction of refugees. According to the proposal, the responsibility for the introduction will be transferred from the municipalities to the state level. The introduction of children will continue under the responsibility of the municipality. The new legislation is expected to come into force in December 2010. (“Regeringens lagrådsremiss angående flyktingmottagandet”, Homepage of SALAR. The change in legislation builds on the proposals presented in the Governmental Official Report: “Egenansvar – med professionellt stöd”, SOU 2008:58)

¹² The normal structure is centrally employed mother-tongue teachers, who serve big geographic areas with a few hours at each school. This renders cooperation and integration between mother-tongue teachers and the other personnel at the school difficult.

7. Family reunification

a. Are children's access to their intermediate family in any way restricted in national policy?

According to the present legislation parents have the right to reunite with their minor children, and vice versa. However, a law on maintenance requirement for family member immigration has been proposed but has not been approved. The maintenance requirement entails a stable income and a sufficient large home as conditions for family member immigration.

Some groups of refugees, as well as unaccompanied children, are exempted from the requirements. Swedish citizens, and people who have lived in Sweden for more than four years with a permanent residence permit, are also exempted.

Refugees who have been granted permission to stay in Sweden on the basis of "exceptionally distressing circumstances", or as a result of armed conflicts or environmental disasters, are not exempted. This means that the legislation will restrict the possibility to family reunification for this group.

A change in legislation which will come into force in July 2010 that will make it possible for asylum seekers whose application was turned down, but who has children in Sweden, to apply for residence permit due to family reunification, from within Sweden. Before, this was not possible. The purpose is to avoid unnecessary separation between small children and their parents. ("Asylsökande barns rätt stärks", Tobias Billström, Minister for Migration and Asylum Policy, m fl. SVD, 14 november 2009)

b. Are children's access to their intermediate family in any way restricted in practice?

8. Special concerns regarding unaccompanied minors.

Shared responsibility between state and municipalities:

a) In your country what agency or service is in charge of housing, feeding and protecting unaccompanied children?

b) Which governmental agency, City or Town Council service or NGO takes care of unaccompanied children's needs for health care, education, leisure time and welfare benefits?

Since a legislative change the 1st of July 2006, the responsibility for unaccompanied minors is shared between the state and the municipalities.

Under the previous regime, the Board of Migration run youth accommodations (ungdomsboenden) where the unaccompanied children, who did not have relatives in Sweden, stayed. This regime was heavily criticized by NGO:s, and also by the Parliamentary Auditors¹³ (Riksdagens revisorer, 2003) One point of criticism was the there were no assessment of the needs of unaccompanied minors. According to the Social Services Act, the task to assess the needs of maltreated children lies with the municipality. In practice, however, the municipalities did not acknowledge their responsibility as long as the children stayed at the accommodations of the Board of Migration. Another area of criticism was the double roles of the Board of Migration; it should examine the application for asylum at the same time as it cared for the immediate needs of the child. As employed by the Board of Migration, the staff of the youth accommodations had a duty to notify the Board of Migration of all information relevant for the examination of the case (“upplysningsplikt”), and this prevented the development of trustful relations between the children and the staff. Moreover, the Board of Migration did not have any specific competence regarding the care of maltreated children, a competence that lies with the Social Services of the municipalities. A final concern was the fact that there was no authority to supervise the youth accommodations of the Board of Migration. This differed from the situation of the accommodations for children run by the municipalities, which are supervised by the County Administrative Board.

With the new legislation, the responsibility for the immediate care of the child is separated from the juridical aspects of the asylum process. The Board of Migration is responsible for the examination of the application for asylum, for administering the financial support and for the return of those whose applications are rejected. The Board of Migration also signs agreements with municipalities regarding the reception of unaccompanied minors and refer unaccompanied children to one of those municipalities.

The municipality is responsible for the housing, care and schooling of the child. The municipality also has to appoint a custodian (“god man”). The municipality has to follow the same principles in the care of undocumented children, as in the care of children resident in Sweden. (See more under “housing, health care, education”)

¹³ The Parliamentary Auditors ceased its operations in 2003. Their activities were overtaken by the new organ Swedish National Audit Office (Riksrevisionen)

The county council is responsible for the health services. The County Administrative Board is responsible for the supervision of the municipalities' youth accommodations.

Examination of application for asylum

d) What laws protect an asylum seeking child regarding his/her application? What agency or service recruits and funds asylum attorneys?

g) Are accredited interpreters requested?

h) Can asylum seeking children (unaccompanied) appeal the authorities' rejection of their application and have access to legal aid?

i) Are there limitations or restrictions for the children to get legal aid?

The application for asylum of unaccompanied minors is examined following the same legislation as for all asylum seekers. However, their applications are handled by case officers at the Board of Migration with a specific competence in children ("barnhandläggare"). These officers often have a background as pre-school or school teachers and receive special training. As with other asylum seekers, unaccompanied minors are appointed a public counsel who meets the case officer together with the child. Unaccompanied minors have the same rights to interpreters as other asylum seekers. They have the same right to appeal against a refusal as all asylum seekers.

Applications of unaccompanied minors are prioritized. During 2009 the average time from application to decision was 114 days. ("Aktuellt om ensamkommande barn och ungdomar, November-December 2009", Newsletter issued by the Board of Migration). The target is of the Board of Migration is to examine the application of unaccompanied children within 3 month. ("Barn i asylprocessen" <http://www.regeringen.se/sb/d/9688/a/90407>)

In May 2008 the Board of Migration decided to make an exception to the Dublin Regulation and not send unaccompanied minors back to Greece. During 2009, criticism has been raised that unaccompanied children are sent back to Malta and Italy, despite similar conditions as those observed in Greece. During the period January-October 2009, 109 unaccompanied minors were sent to Italy and Malta (out of a total number of 170 unaccompanied children returned to the "first asylum country" under the Dublin Regulation). ("Hellre krig än Maltas fångelser", Sydsvenskan 27 nov 2009 <http://sydsvenskan.se/sverige/article574654/Hellre-krig-an-Maltas-fangelser.html>)

The principle of the "best interest of the child" is included in the Aliens Act, and should be a guiding principle in all cases concerning children. Another guiding principle is the right of the child to reunite with its parents. (See under "Policy of family reunion for unaccompanied minors. Is there a possibility?")

In case the application of asylum is turned down, the Board of Migration is responsible to investigate who is going to take care of the child when returned to its country of origin.

j) Where do unaccompanied children get information and advice from about their own application?

According to material collected by Save the Children in 2007¹⁴, unaccompanied children at reception accommodation centers (“ankomstboende”) requested better information regarding the asylum process. (“Hur har det gått?” , p 16)

k. Age assessment. Is the age of asylum seeking children often questioned? What methods are used when it is questioned and who does the examination? Is the medical personnel advisory or decisive? Is there a possibility of appeal?

Many unaccompanied asylum seeking children lack documentation of their date of birth on arrival in Sweden. And even if they have documents the authenticity of these documents is often challenged by the staff at the Board of Migration. Until a few years ago it was common practice to perform an X-ray of the wrist as a presumed objective measure of age whenever the age reported by the unaccompanied child her/himself was questioned, which was quite common.

The medical basis for this practice was questioned by representatives of the Swedish Paediatric Society and NGO’s (see attachment from seminar at Swedish Save the Children) which lead the Board of Migration to seek guidance on this practice from the National Board of Health and Welfare. In a statement from December 2008 (see attachment) the National Board of Health and Welfare concluded that there is no available medical technology that can determine age with sufficient accuracy in the upper teens which could be used for this purpose. In the aftermath of this report the Board of Migration has implemented a practice where age is determined by the judgement of the case officer. The age determined by the officer cannot be appealed at present. Swedish paediatricians and NGO have questioned this practice and are advocating for a possibility of a judgement by an external expert, such as a paediatric endocrinologist, as a means of appeal.

Housing, health care, education

a. How are unaccompanied minors housed? Foster care? Residential care run by communities? By migrational authorities?

It is the municipality where the child lives that is responsible for the care of the child. This means that the task to assess the needs of the child and make decisions regarding the child lies with the municipality. The needs are to be assessed under the Social Service Act, as for

¹⁴ The material was part of Save the Children’s alternative report to the UN Committee on the Rights of the Child.

children resident in Sweden. Several studies show, however, that this is not always the case. Some municipalities only undertake a “simplified” investigation initially. (SALAR, ”Hur har det gått?”, p 42)

After the child receives a permanent residence permit, the municipality is responsible for the child during its childhood. It also has to establish an introduction plan, just like for other refugees.

Below, some aspects of the municipalities’ reception of unaccompanied minors are described. The information is obtained from Save the Children’s report ”Hur har det gått? Ensamkommande barn –mottagandet sedan kommunerna tagit över boendet och omvårdnad?” (Rädda Barnen 2008). The report describes the situation in five municipalities. During 2009, the Swedish Association of Local Authorities and Regions (SALAR) carried out a survey of the reception of unaccompanied minors, and some conclusions from their report are also included (“Sammanfattning av kartlägningsresultat och förslag till förbättringsåtgärder”, SALAR)

During 2009-2011, the Research and Development Centre of southern Stockholm is going to carry out a study of unaccompanied children in the municipalities in Stockholm County. The objective is to analyse how the organization of the reception responds to the needs of the unaccompanied children and how the children themselves feel about their situation. The study consists of a survey of the work of the municipalities (to be presented in Jan-March 2010) and of interviews with unaccompanied children.

Housing:

The municipality investigates if the unaccompanied child has relatives in Sweden, with whom he/she can stay. If not, the child is referred to foster care, group home/institution or residential care.

The Board of Migration signs agreements with the municipalities regarding reception of unaccompanied children. Upon arrival, the child first stays in a reception accommodation center, in one of the municipalities where the Board of Migration runs application units (Gävle, Malmö, Mölndal, Norrköping, Solna, Sigtuna, Skellefteå, Umeå and Örebro)¹⁵. The child is thereafter referred to one of the municipalities with which the Board of Migration has an agreement, or to stay with relatives. There are agreements related to asylum seeking children as well as to refugee children, and the idea is that both agreements are signed so that the child can stay in the same municipality after receiving its residence permit. The municipalities are compensated from the state for the costs of housing the unaccompanied minors, and other related costs.

In November-December 2009 1 544 unaccompanied minors were enrolled in one of the Board of Migration’s reception units. Of those, 29% stayed in reception accommodations and 40% in municipalities with agreements regarding reception of unaccompanied minors. 31% stayed in family homes or with relatives. (“Aktuellt om ensamkommande barn och ungdomar, november-december 2009”)

¹⁵ Norrköping and Gävle opened in december 2009. Örebro, Skellefteå and Umeå will open in februari 2010.

One problem is the fact that the number of municipalities that have signed agreements with the Board of Migration regarding reception of unaccompanied minors is insufficient. Because of that, many children have to stay in the reception accommodations too long. During 2007, the average waiting time in the reception accommodation was about 1 month, but has in periods amounted to as much as four months. ("Hur har det gått?", p 10-12) It is the municipalities that run the reception accommodations that have the responsibility for the care of the children until they are referred to another municipality.

Material collected by Save the Children in 2007 highlights several shortcomings regarding the reception of unaccompanied minors by the municipalities who run the reception accommodations. For example, the municipalities did not carry out inquiries as stated under the Social Act and there was a lack of resources for therapeutic treatment. Another problem is that the extended waiting time in the reception accommodation, means that the child will have to go through one more separation when they are then referred to a new municipality. According to the report, the youth in the reception accommodations asked for better information regarding the asylum process, and more leisure activities. ("Hur har det gått?", p 16)

Children, who do not stay with a foster family or with relatives, mostly stay in group homes/institutions that constitute so called HVB-hem (Hem för vård och boende / residential care). Youth are sometimes offered own apartments, where they receive varying degrees of support.

The situation of children who stay with relatives has attracted attention. Several reports describe the municipalities' assessment of families insufficient. (SALAR; "Hur har det gått?") It is also unclear if the families should receive financial support. The problems observed are over-crowding, and the fact that the families may not be able to offer the economical or social support required.

Schooling and spare-time

The municipality is responsible for education of the child, and he/she should be offered to start school no later than one month after arrival. (See more in the section on Education)

In several of the five municipalities included in Save the Children's report, the municipality pays a leisure activity for the child. ("Hur har det gått?", p 25).

Health care

Unaccompanied minors have the same rights to health examination and health care as other asylum seekers in Sweden, see above. This care is funded by the state and provided by the County Council.

In the five municipalities studied by Save the Children, there is an initial health examination undertaken by the school nurse or social worker ("skolkurator"). Quite often it is found out that the child needs dental care or glasses. Children with psychological problems are offered treatment within the Outpatient Child and Adolescent Psychiatric Clinic (Barn- och Ungdomspsykiatri, BUP), but long waiting lists are a problem. ("Hur har det gått?", p 30)

Custodian ("god man")

The municipality also has the responsibility to appoint a custodian ("god man"), who should look out for the child's interest during the asylum process. The custodian should decide for the child in all personal, economical and juridical matters, f ex housing, schooling, economy, etc. He/she do not, however, have the responsibility for the maintenance or the day-to-day care of the child. The custodian receives a small economical compensation.

The custodian has great possibilities to influence the situation of the child and to intervene if the child fares badly. The practice varies between municipalities, and between the individual custodians. A problem mentioned in Save the Children's report, and that has also been debated in media, is the fact that some custodians have the responsibility of several children at the same time. The survey of SALAR, as well as Save the Children's reports, emphasizes the importance of offering the custodians training and support, and the need for supervision. (SALAR, "Hur har det gått?", p 43)

A positive experience: Origo in Skellefteå municipality

In 2003 the reception center "Origo" was opened in Skellefteå municipality in the north of Sweden. One year before, the Government had set up a group of representatives from the National Board of Health and Welfare and the Board of Migration in order to look into and propose changes regarding the reception of unaccompanied minors. The institution was started as a pilot project and the idea was that the project may serve as a model of good reception. The project was documented by Save the Children in two reports ("Att möta de ensamkommande barnen", Rädda Barnen 2004; "Vem tar ansvaret för de ensamkommande barnen? En två-årig uppföljning av 17 ungdomars möte med Sverige", Rädda Barnen 2005).

The reports consider Origo as a good example of how a reception may be organized in order to respond to the needs of the children. One sign of the success of Origo is the fact that 9 out of 10 of the youth followed in the report who received residence permit chose to live in Skellefteå. Another sign is the good school results of the youth during the asylum period. Several municipalities have made study-visits to Skelefteå before starting up their own reception of unaccompanied minors.

At the time the study was carried out, there were 12 youth staying at Origo, all of them boys. The staff consisted of 12 persons, including a leader and a social worker ("kurator").

Some of the reasons for success, highlighted by the report, are:

- A close cooperation with the social network of each youth.

This means cooperation between the custodians and the staff of Origo, as well as with teachers, school nurse, district nurse, social welfare officer, friends, etc. The way in which Origo works with the custodians may serve as an example: Origo looks for custodians who are interested in taking an active part in the lives of the youth; f ex to participate in progress talks at school and to follow the youth to health examinations and to leisure activities. The fact, for example, that custodians has been to progress talks with the youth, makes it much

easier to deal with eventual problems that may arise at school. Origo invites the custodians regularly to meetings at the center, where they receive support and training.

- A chain of complementing activities that responds to the need of support and continuity of each child/youth.

One example the many different alternatives of housing that the municipality offers the youth: institutions during the asylum period, institutions for the youth who receives residence permit and apartments with varying degrees of support when the youth grow older. This support continues even after the youth is 18 years old.

Other examples are the daily contact between the district nurse and the staff of Origo, a specific contact person at the Outpatient Child and Adolescent Psychiatric Clinic, and the cooperation with the case officer at the Board of Migration. The municipality also employed a social worker and a social assistant ("fältassistent") designated to work with the unaccompanied minors.

- A positive attitude towards the youths

The staff of Origo build their work on a "declaration of trust". This means that they deliberately choose to see the reality from the youth's perspective, and to not question the youth. They also choose to focus of the competences and resources of the youths. One example is the effort to find a leisure activity, interest or skill of each youth to develop.

This positive attitude also holds for the municipality. At its homepage, it declares that the hope of the municipality is to make such a good work that the youth will choose to settle down in Skellefteå when they grow up.

Some additional aspects that distinguish Origo are a generous use of interpreters, information in the language of the youth, and the striving for a mixture of ethnical backgrounds among the staff. This reflects a consciousness of the importance of acknowledging the cultural background of the youths.

During the time of the project, the staff of Origo was given continuous training and support by Save the Children. This was important, for example when the staff became aware that the youth needed more help and support than they had shown initially. The youths are competent and resourceful, but also vulnerable and in need of lots of support, and the staff must be able to conserve these two perspectives at the same time.

b. Policy of family reunion for unaccompanied minors. Is there a possibility?

As long as the application for asylum is examined, the Board of Migration has the responsibility to try to find family members of the child as soon as possible.

The principle of the right of children to not be separated from their parents is a guiding principle. If there are no reasons for asylum, the reunification should take place in the country of origin.

The interpretation of this principle has been criticized. ("Barns egna asylskäl – Uppföljande kartläggning 2005" Rädda Barnen och Rådgivningsbyrån). There is a risk that the principle as such, is prioritized on the expenses of the individual assessment of the best interest of the child. There is also a risk that the focus on reunification with parents in the country of origin results in the reasons for asylum of the child being ignored.

If the child is granted asylum, it is the municipality's Social Service that should continue the searching of the parents of the child. According to the survey of SALAR, this seems to take place to a very limited extent.

For unaccompanied children who has obtained residence permit, there is a possibility of reunification with their parents in Sweden. Unaccompanied children are exempted from the maintenance requirement.

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7. Family reunification

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SOU 2008:114 ”Försörjningskrav vid anhöriginvandring”, kapitel ”Sammanfattning av utredningens förslag, s 11-16 och ”Synpunkter lämnade vid en hearing om ett försörjningskravs konsekvenser för barn, bilaga 3” och ”Information från Svenska barnläkarföreningen, bilaga 4”

“Asylsökande barns rätt stärks”, Tobias Billström, Minister for Migration and Asylum Policy, m fl. SVD, 14 november 2009

8. Special concerns regardin unaccompanied minors

Migrationsverkets nyhetsbrev ”Aktuellt om ensamkommande barn och ungdomar, november-december 2009”

”Ett gemensamt ansvar för ensamkommande barn och ungdomar”, mars 2009, Migrationsverket, Socialstyrelsen, SKL

”Sammanfattning av kartlägningsresultat och förslag till förbättringsåtgärder”, SKL:s projekt ”Ensamkommande barn och ungdomar – ett gemensamt ansvar”. Presenterad i november. Slutrapporten kommer i december.

”Plan för forskningsprojektet Ensamkommande flyktingbarn i Stockholms län”, 2009-01-30, FoU Södertörn

”Hur har det gått? Ensamkommande barn – mottagandet sedan kommunerna tagit över boende och omvårdnad”, Rädda Barnen 2008

”Att möta de ensamkommande barnen”, Monica Brendler-Lindqvist, Rädda Barnen 2004

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“Hellre krig än Maltas fängelser”, Sydsvenskan 27 nov 2009
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Appendix 1. Uppgifter från www.migrationsverket.se. Hämtade 2010-06-02

Dagersättningen kan vara olika stor

Bor du på en anläggning där fri mat ingår är dagersättningen

- 24 kr/dag för vuxna ensamstående
- 19 kr/dag per person för vuxna som delar hushåll
- 12 kr/dag för barn t.o.m. 17 år (fr.o.m. tredje barnet halveras bidraget)

Har du eget hushåll och sköter matinköpen själv är dagersättningen:

- 71 kr/dag för vuxna ensamstående
- 61 kr/dag och person för vuxna som delar hushåll
- 37 kr/dag för barn upp till 3 år
- 43 kr/dag för barn 4–10 år
- 50 kr/dag för barn 11–17 år (fr.o.m. tredje barnet halveras bidraget)

Särskilt bidrag i speciella situationer

- Händer något som gör att dagersättningen absolut inte räcker — du kanske får barn och måste köpa utrustning till barnet eller du saknar vinterkläder när du anländer mitt i vintern — kan du ansöka om särskilt bidrag. Tala med din handläggare för att få mera information.

Ersättningar för ensamkommande asylsökande barn och ungdomar

Ersättning till kommuner med överenskommelse om mottagande av asylsökande ensamkommande barn

- Årlig ersättning på 500 000 kronor för ett kalenderår som ska underlätta mottagandet samt öka kvalitén på mottagandet.

Kommuner får statlig ersättning för mottagande av ensamkommande barn såväl under tiden som de är asylsökande som tiden efteråt för dem som beviljas uppehållstillstånd. Ersättningarna administreras av Migrationsverket.

Ersättning till kommuner som dessutom har en överenskommelse om att tillhandahålla boendeplatser som avses i 2 § andra stycket LMA

Dessa ersättningar ska täcka kostnaderna för att bedriva boendeplatserna dvs. personal, kost, logi samt omvårdnad etc.

- 1 600 kronor per dygn för varje överenskommen plats.
- Därutöver 300 kronor per dygn för varje belagd plats.

Ersättningarna kan också avse de som har fyllt 18 men inte 21 år, under förutsättning att vården påbörjats före 18 års ålder.

Ersättning till samtliga kommuner, oavsett om överenskommelse tecknats eller inte

Ersättning för skolverksamhet, avser samtliga asylsökande barn i Sverige

Schablonersättning för barnets skolgång:

- 30 300 kronor per elev och år i förskoleklass
- 59 300 kronor per elev och år i grundskola etc.
- 67 200 kronor per elev och år i gymnasieskola etc.

Ersättning för extra kostnader för elever med särskilda behov.

Ersättning för extraordinära kostnader för skolverksamhet

Ersättning för faktiska kostnader för boende och omvårdnad i:

Tillfälligt boende i kommun där Migrationsverket har ansökningsenheter.

Anvisad kommuns boende (utöver avtalade platser), t.ex. för boende i familjehem, grupphem/institution eller vid behov behandlingshem.

Dessa ersättningar avser även de som har fyllt 18 år men inte 21 år, under förutsättning att vården påbörjats före 18 års ålder.

Ersättning för transport av ensamkommande barn till den anvisade kommunen.

Ersättning för anvisad kommuns utredning av ensamkommande barn utgår med:

- 39 000 kronor per barn vid placering i familjehem.
- 31 000 kronor per barn vid placering i hem för vård eller boende, dvs. grupphem eller institution.

Ersättning för faktiska kostnader för god man.

En kommun kan även ansöka om ersättning för betydande extraordinära kostnader som kommunen haft för ensamkommande barn.

Under maj månad utgår en årlig ersättning för stödinsatser av förebyggande karaktär enligt SoL till samtliga kommuner i vilka det den 30 april finns asylsökande under 18 år registrerade hos Migrationsverket. Det totala ersättningsbeloppet är 50 miljoner kronor och fördelas enligt följande:

- 5 miljoner kronor delas mellan berörda kommuner
- 45 miljoner kronor delas med antalet registrerade barn, vilka sedan genererar ett sammanlagt belopp till berörda kommuner.