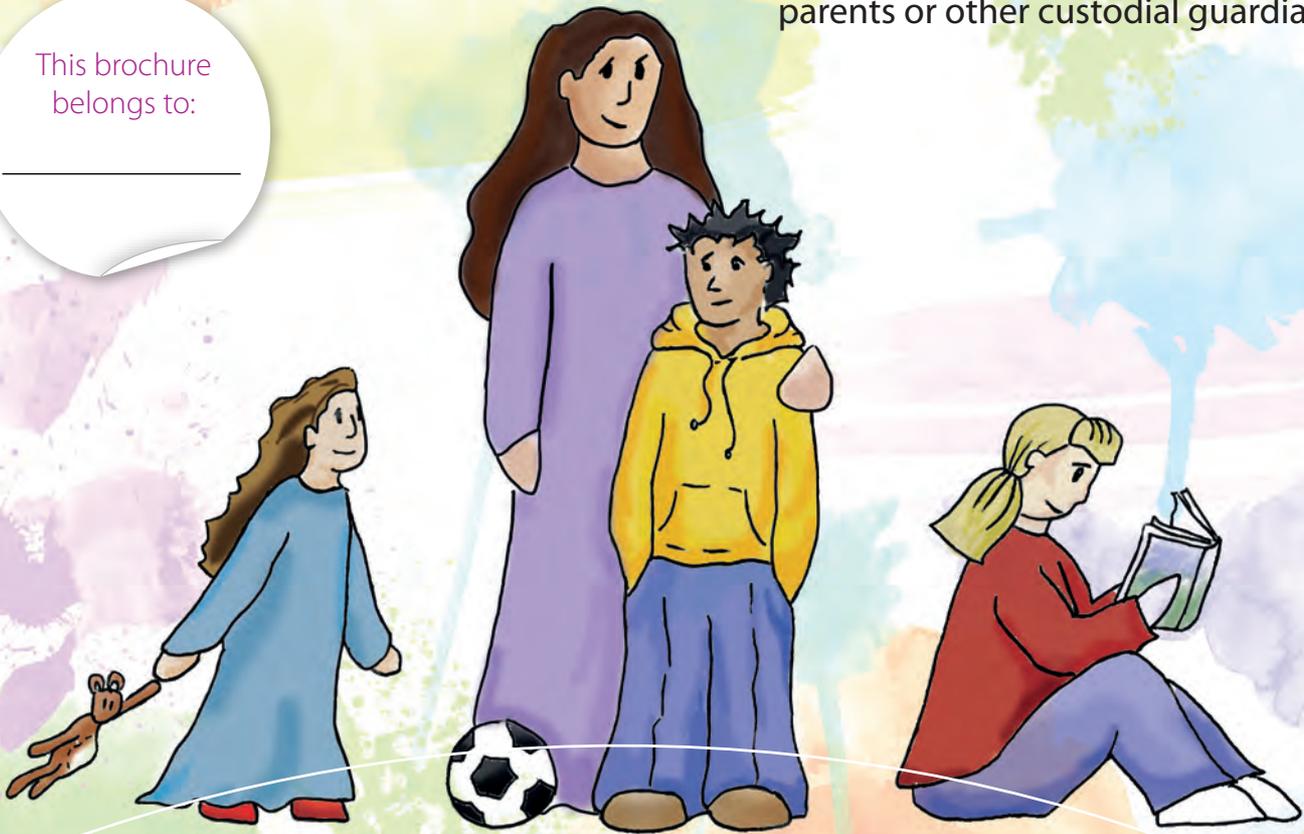


How to apply for asylum

For people applying for asylum with a parent, parents or other custodial guardian.

This brochure belongs to:



Contents

■	Hello	3
■	Children	4
■	What do the words mean?	5
■	Asylum application– what happens then?	6
■	After registration – what happens then?	12
■	Asylum investigation – what happens then?	14
■	Asylum decision – what happens then?	16
■	Residence permit– what happens then?	18
■	Refusal – what happens then?	20
■	Appeal – Migration Court	21
■	Appeal – Migration Court of Appeal	23
■	Return – what happens then?	24
■	A few words for	26
■	important adults	27



The brochure is part of the project
*Riktad information asylsökande
barn* which is co-financed by the
European Refugee Fund.

Hello

This brochure is for people who have arrived with one or both 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.

Filip Kyrönen and **Simon Holmberg** from the Johannes Hedberg high school in Helsingborg are co-authors. They have made fact-finding visits, helped to find information and tested the material on children and young people.

Save this brochure! It may be useful during your time in Sweden as an asylum seeker.

Many thanks to all the children, young people, parents, teachers and other important people from BRIS, Save the Children, the Red Cross, IM and Malmö University who provided their opinions when this brochure was created.

BRIS, Children’s Rights in Society, is an organisation that works to strengthen the rights of children. Find out more on www.bris.se

IM stands for Individuell Människohjälp, or Individual Relief. IM is a Swedish aid organisation that works to prevent poverty and exclusion. You can find more information on www.manniskohjalp.se

The Swedish Migration Board is the authority in Sweden that considers applications from people applying for asylum. The Swedish Migration Board also receives applications from people wishing to visit or settle in

Sweden. The Swedish Migration Board also considers applications for Swedish citizenship. More information can be found on www.migrationsverket.se

Save the Children Sweden is an organisation that works to protect children’s rights. More information can be found on www.raddabarnen.se

The Red Cross is an organisation that works to protect and help people in need. More information can be found on www.rodakorset.se



Children

Who are children? In Sweden you are a child until you turn 18.

What rights do you have? Sweden has signed the UN convention on children's rights. 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, for example:

- you have the right to have your say. This means that if you want to, you have the right to speak and be listened to.
- you have the right to medical care and dental care if you need it.
- you have the right to go to school.

You will meet people from different authorities.

The Swedish Migration Board is responsible for, among other things:

- investigating and deciding whether you and your family have the right to asylum or not.
- your home – if you live in one of the Swedish Migration Board's flats.
- financial support – if you don't have any money of your own.
- appointing a public counsel. This is a person that knows the Swedish laws and who helps you with your application for asylum.
- to help you with your journey from Sweden if you cannot stay here.

The **municipality** is responsible for, among other things:

- that you go to preschool, school and secondary school.
- something called the social services. In the social services, the staff work according to a law called socialtjänstlagen, the social services law. The 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 are 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 seekers go 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 asylum application turned down. He or she cannot stay in Sweden.

Children means anyone under the age of 18.

Decision on an asylum case is when the staff at The Migration Board have decided whether an asylum seeker can stay in Sweden or not.

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

Verdict in an asylum case is when the Migration Court or Migration Court of Appeal, after an appeal, decides whether an asylum seeker can stay in Sweden or not.

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

Suspension means that the Swedish Migration Board or a migration court decides to temporarily stop a person's

journey back to their home country or another country.

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. He or she can help asylum seekers with their asylum applications. A public counsel is a lawyer or solicitor.

A **Litigation Officer** is the person who speaks for the Swedish Migration Board in a migration court.

The social services are represented in every municipality. The 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 and who can't 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. The 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 Swedish Migration Board there are different units. You could say that a unit is an office. The first unit that you and your family arrive at is the Application Unit. This is where you will apply for asylum.

Registration of asylum application

What does the Application Unit do? The Application Unit is responsible for receiving applications from people who are applying for asylum. Applying for asylum means applying for protection.

Who will we see and what will they ask us about? At the Application Unit you will meet the Swedish Migration Board's staff. They will ask you:

- what your name is.
- when you were born.
- where you are from.
- which languages you speak.
- how you have travelled to Sweden.
- why you have left your home country.
- how you are feeling.

The staff will ask these questions so they can enter you into the Swedish Migration Board computer database. Then they will continue to work on your application.

It is important for the Swedish Migration Board to know the reasons why you cannot stay in your home country and how you are feeling now. If you want to, and your parents agree to it, you can talk to the staff.

If you don't want to talk to the staff you can say no. If you can't or don't want to say anything to the staff now, you can always contact the Swedish Migration Board later. You can also contact them if there is anything bothering you or if you have any questions.

Interpreter

What does an interpreter do? So that you and the staff at the Swedish Migration Board can understand each other, an interpreter will translate what you say. The interpreter can speak 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 Swedish Migration Board's staff and you can speak to each other. The interpreter will only translate what is said. The interpreter is sworn to secrecy.

Obligation of secrecy

What does obligation of secrecy mean? Obligation of secrecy means that the Swedish Migration Board cannot reveal anything about you to someone who isn't legally entitled to know. Everyone who works at the Swedish Migration Board is sworn to secrecy. Interpreters and public counsels are also sworn to secrecy.

Public counsel

What is a public counsel? A public counsel is a person who knows Swedish laws. He or she will help you and your family with your asylum application. A public counsel is a lawyer or solicitor.

Is everyone entitled to a public counsel? If the Swedish Migration Board assesses that you need help with your asylum application, you will receive help from a public counsel. You will not have to pay for the public counsel.

Identity

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

Why must we show who we are? The Swedish Migration Board wants to know who you are and where you are from in order to be able to make the right decision. It is your parents' responsibility to show what your names are and where you are from.

The best way to show your identity is by showing your passports or ID cards, for example.

If your parents cannot show who you are it will be hard for the Swedish Migration Board to assess whether you have the right to asylum or not.

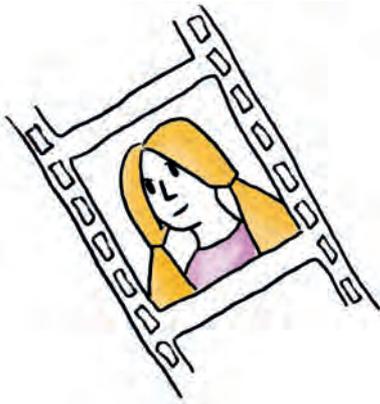
The Swedish Migration Board can make decisions more quickly if your parents show who you are.

Where will we live?

You can arrange accommodation yourselves, for example with relatives or friends. But if you need help the Application Unit can arrange for you to live in one of the Swedish Migration Board's accommodation centres. These are flats that the Swedish Migration Board rents in certain locations in Sweden. You will not be able to choose the location.

Are we allowed to travel to other countries while we are 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.



Photographing

Why does the Swedish Migration Board take photographs of us when we apply for asylum?

All of your family will be photographed. The Swedish Migration Board 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 picture 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.

Fingerprints

Why does the Swedish Migration Board take fingerprints? The Swedish Migration Board takes fingerprints to check if you have applied for asylum in Sweden or another European country before.

The same day that you are at the Application Unit the staff will take your parents' fingerprints. If you are 14 or older they will take your fingerprints too.

How are fingerprints taken? Fingerprints are taken when you press your fingers against a machine that reads your fingerprints.

What does the Swedish Migration Board do with the fingerprints? The fingerprints are sent to several databases. One of these is in Sweden. In one database the Swedish Migration Board 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 up in the database. These countries are called the Dublin countries.

If you would like 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.

What does the EU mean? The European Union is called the EU. Sweden has been a member of the EU since 1995. 27 countries are members of the EU.

The Dublin Regulation

What is 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 should consider 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 may apply if you have, for example:

- received a visa or residence permit from another country that has signed the Dublin Regulation.
- already applied for asylum in another Dublin country.
- travelled without permission to a country that has signed the Dublin Regulation.

What happens if another Dublin country is going to consider our asylum application?

Then your parents will be called to a meeting at the Swedish Migration Board. This meeting is called communication. If you and your parents want you to be at this meeting you are allowed to do so.

What is a communication? A communication is a conversation between your parents and the staff at the Swedish Migration Board. At this conversation you will receive information about the Dublin Regulation and that another Dublin country could become or has become responsible for considering your asylum application. You also have the opportunity to say if you have any reason to not go to another Dublin country. You can say why you would like your application to be considered in Sweden instead.

Can we appeal a Dublin decision? If your parents are not happy with your Dublin decision, they are entitled to appeal the decision in 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 your parents 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 will only be suspended if the Swedish Migration Board or the court says that the journey should be suspended.

Are we entitled to a public counsel? If your case is a Dublin case you are not entitled to a public counsel. Your parents can get help themselves from a lawyer or a solicitor. A public counsel is a person who knows Swedish laws. In this case your parents must pay for the lawyer or solicitor.

What happens if the Migration Court decides that we must travel to another Dublin country?

Then your parents will be called to a meeting at the Swedish Migration Board. If you and your parents want you to be at this meeting you are allowed to be there. At the meeting you will be informed that you will travel to the country that is written in your decision.

You will also find out your travel arrangements. Staff from the Swedish Migration Board will accompany you to the plane. Staff from the authorities in the country you arrive at will meet you.

Can we appeal the Migration Court's Dublin decision? If your parents are not happy with the decision they can appeal to the Migration Court of Appeal. If the Migration Court of Appeal wants to consider the appeal it is this court that decides whether your application will be considered in Sweden or in another Dublin country.

What happens if the Migration Court changes the Swedish Migration Board's Dublin decision? The Swedish Migration Board can appeal the decision to the Migration Court of Appeal. If the Swedish Migration Board appeals the Migration Court's decision it is the Migration Court of Appeal that decides whether they want to consider the appeal. If the court wants to consider the appeal it is this court that decides whether your application will be considered in Sweden or in another Dublin country.

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

You can write important phone numbers here

Home

Health care and dental care

The Swedish Migration Board

School

Friends



After registration – what happens then?

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

What does the Reception Unit do? The Reception Unit is responsible for keeping in touch with you while you wait for your decision.

The staff at the Reception Unit does the following things, among others:

- determines if you are entitled to a daily allowance if you don't have any money of your own.
- informs you when a decision has been made on your case – if your asylum application has been granted or refused.
- provides support if your asylum application is refused and you are to return home.

If you live in a flat rented by the Swedish Migration Board, you will meet the Reception Unit's accommodation staff. They will inform you about the rules and provide practical information about what can be found in the local area.

Daily allowance

What is the daily allowance? If you don't have any money of your own you are entitled to apply for a daily allowance from the Swedish Migration Board. Your parents can apply for a daily allowance for the whole family. They will be responsible for your daily allowance. This money must pay for things like food, clothes, shoes, soap and shampoo, medicine, leisure

activities etc. If you have special needs you can also apply for a special grant.

What is a 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, your parents can apply for a special grant. They will fill in an application for a special grant. It is important that they explain why you need it. The application is submitted to the Reception Unit, which will then make a decision. Your application for a special grant can be granted or refused.

Investigation meeting

All families are summoned to a first meeting at the Reception Unit. Here you will receive information about the Reception Unit's role and practical information about children's rights.

The staff will write down:

- how you are feeling.
- who the members of your family are.
- if you can read and write.
- which languages you speak.
- your education history.
- information about your identity.

If you like, you can also ask questions.

Group information

Your parents will be summoned to the Reception Unit to receive information about the Swedish Migration Board. You will also find out more about laws, other authorities, and Non-Governmental Organisations. A Non-Governmental Organisation is an organisation where people work voluntarily, without getting paid, to help with things that they think are important. Two examples are the Red Cross and Save the Children.

Health

Am I entitled to health care and dental care? You have the same right to medical and dental care as all other children in Sweden.

The Swedish Migration Board will inform the health care system of your name and address so they can contact you for a health check-up. At the check-up you can talk to the staff at a care centre.

If a family member needs to visit a hospital, care centre or dentist you must show your Asylum Seeker card.

School

Can I go to 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 a high school? All young people in Sweden who have finished compulsory school have the right to apply for a three-year high school course – a national program. A high school education provides basic skills for further studies and for future life a working adult. In order to be accepted to a high school you must have a pass grade in several subjects from compulsory school – 8 subjects for vocationally-oriented programs and 12 subjects for programs seen as a preparation for further studies. If you don't have enough pass grades from compulsory school you can study at an introduction program. An introduction program is intended to help students to move on to a national program or to get a job. An introduction program, 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.



Asylum investigation – what happens then?

After you have applied for asylum you and your parents will be summoned to an asylum investigation. You will usually only have one meeting.

As a child, am I allowed to talk to the Swedish Migration Board staff? Yes, if you want to, and your parents agree to it, you can talk to the staff.

If I don't want to talk to the staff, do I have to? No, you don't have to talk to the staff if you don't want to. If you don't want to talk to the staff they will talk to your parents. The staff will ask your parents questions about you.

How does an asylum investigation work? The asylum investigation is made at the Swedish Migration Board and for each adult it takes between two and three hours. For children it is usually quicker, because the staff don't ask children as many questions as adults.

During the asylum investigation you can tell your story and answer questions, for example about:

- yourselves.
- who the members of your family are.
- how you are feeling.
- where you are from.
- your trip to Sweden.
- what your situation was like in your home country.
- what happened to you.

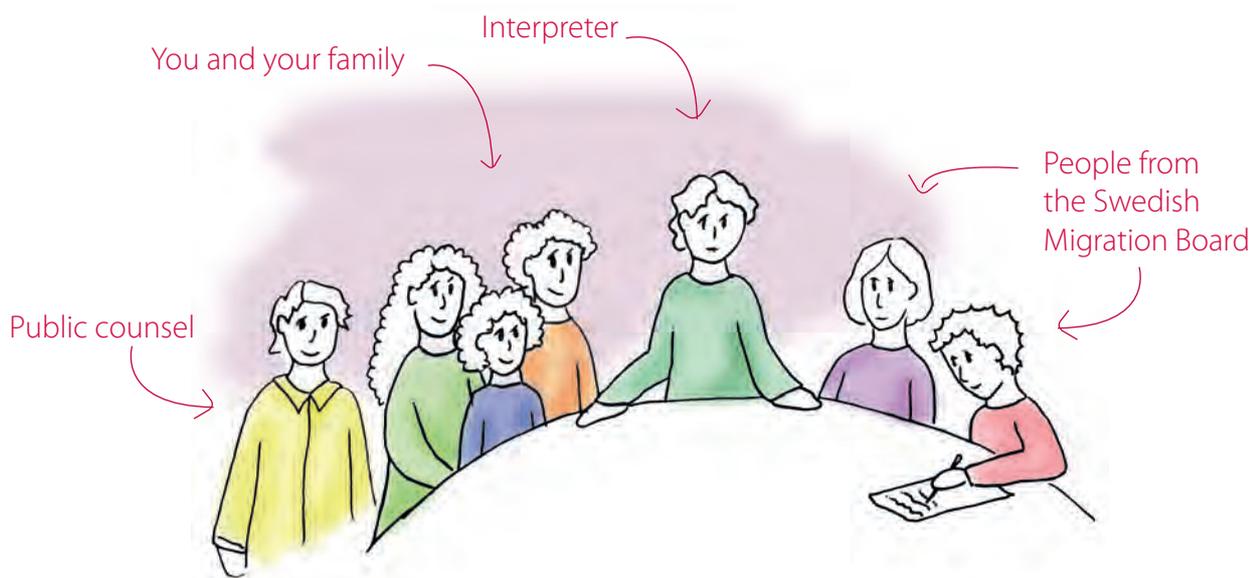
- why you left your home country.
- why you can't go back home.

It is important that you tell us everything that has happened to you. *It is important for the Swedish Migration Board to know the reasons why you cannot stay in your home country, not just your parents' reasons.*

Your stories are written down in a record. A record is notes about what you have said during the investigation.

Who will be there? Often there will be a person from the Swedish Migration Board who is in charge of the investigation. Sometimes there will be another person who writes down what is said. If you have a public counsel he or she will be there. There will also be an interpreter in the room. The interpreter is not an employee of the Swedish Migration Board: he or she is from a company that provides interpreters.

When the staff talks to you usually one parent will be there too. You can talk to the staff alone if you want to and your parents agree to it.





Asylum decision – what happens then?

After you have attended the asylum investigation the Swedish Migration Board will make a decision.

How does the Swedish Migration Board make a decision?

When the Swedish Migration Board has made a decision on your asylum case, what you have told the asylum investigation is compared with the Aliens Act and with the information that the Swedish Migration Board has and what the situation in your home country is like.

What is the Aliens Act? The Aliens Act is a law that includes the rules for whether you can stay in Sweden or not. The law was decided by Sweden's parliament.

There are three 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:

- race (origin), national or ethnic origin (for example skin colour).
- nationality, for example linguistic or ethnic group.
- religion.
- political affiliation (opinions on how a country should be governed).
- belonging to a certain social group, gender (girl or boy) or sexual orientation (sexual orientation means if a person falls in love with girls, boys or both girls and boys).

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.

There are two main reasons why a person is in need of protection.

1. The person either risks torture, death penalty, or other inhuman or degrading treatment if he or she returns.
2. Or the person needs protection because there is

a serious risk that he or she will be injured in a war or other violence in the country. He or she may also not be able to return because of a natural disaster.

You become in need of protection if you can't obtain protection and help in your own country.

Particularly distressing circumstances

When the Swedish Migration Board considers what is called particularly distressing circumstances, the Swedish Migration Board assesses the family's or child's overall situation. There must be strong grounds to stay in Sweden. The Swedish Migration Board must especially consider how the asylum seeker is feeling, how he or she adapting to Sweden and the situation in his or her home country.





Residence permit – what happens then?

Residence permit means that you have had your application for asylum approved. You can stay in Sweden.

What happens if we get a residence permit?

Then you will be summoned to a meeting with the staff at the Reception Unit. At this meeting you will receive a certificate that shows that you have received a residence permit. You will find out what your decision says and why 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. In some cases the Swedish Migration Board can grant a residence permit that is valid for a certain period of time, for example a year.

If you have arranged your own accommodation, you will be discharged from the Swedish Migration Board 30 days after the day you received your decision.

If you have stayed in one of the Swedish Migration Board's accommodation centres and can't arrange accommodation yourselves, the Swedish Public Employment Service will help you.

What will we do when we have received a residence permit?

You and your family will visit the Swedish Tax Agency for registration. This means that you will receive personal code numbers with the last four digits.

We live here:





Refusal – what happens then?

Refusal means that your asylum application has been refused. You cannot stay in Sweden.

Meeting about the refusal decision

Your parents will be called to a meeting at the Swedish Migration Board if your asylum application has been refused. If you and your parents want you to, you can attend this meeting. During the meeting you will receive help understanding the content of the decision. Whether your parents appeal the decision or not, you will be summoned to the Swedish Migration Board to talk about your situation and your thoughts about the future.

If my parents accept the decision – what should they do then? They can say that they accept the decision. This is called declaration of acceptance

and means that your parents don't want to appeal the decision. Your parents cannot take back a declaration of acceptance.

Can we appeal a refusal? Your parents can appeal the decision if they think that your situation has not been assessed correctly, if you have something to add or if something important has been missed. Your parents will then appeal the decision in a Migration Court.

What does appeal mean? Appeal means that your parents write to an authority or court to say that they don't agree with what the authority or court has decided. Your parents want the authority or court to change the decision.



Appeal – Migration Court

Your parents send their appeal to the Swedish Migration Board. This is so the Swedish Migration Board can consider its decision again before the staff send the appeal to the Migration Court.

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.

When your parents appeal they can say that they want to have a meeting in the court. This meeting is called verbal negotiation. There your parents will have the opportunity to talk about what you and your family have been through. It is the court that decides whether there will be a verbal negotiation.

Who will be at a verbal negotiation? A verbal negotiation is usually attended by a judge, three lay assessors and a 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 Swedish Migration Board that makes the decisions.

The Swedish Migration Board is one party (one side) and is represented by a Litigation Officer. The Litigation Officer is a trained lawyer.

At the negotiations your parents are the other party (other side). They will be helped by their public counsel. The public counsel is a trained lawyer.

It is unusual for children to be allowed to be at a negotiation. The court will assess whether it is suitable for children to be there.

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

It is the judge who leads the negotiations and decides who can talk. At the negotiations your parents, helped by your public counsel, will have the opportunity to say everything they want to the judge and the lay assessors. When they have finished talking the Litigation Officer from the Swedish Migration Board will have the opportunity to ask your parents questions. After that the judge may ask some questions. Then your parents and your public counsel will conclude by again explaining why you cannot return home. After that the Litigation Officer will explain what the Swedish Migration Board thinks.



What does closed doors mean? Negotiations in court should be open to everyone. This means that anyone who wants to can attend negotiations and listen. But if the court doesn't think that anyone should be able to enter the courtroom the judge can decide to close the doors. You could say that this means that the negotiations are secret. The court makes the negotiations secret when they concern sensitive matters or when one party in the negotiations is a child under 15. In closed door negotiations, only the people involved in the negotiations are allowed to be in the courtroom. The court will usually decide at the beginning of the negotiations whether to close the doors or not. The court can also decide to close the doors during the negotiations.

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.

What happens after the negotiations? Usually the court will make a decision within a few weeks.

What happens if our appeal is approved? Approval means that the Migration Court thinks that you can stay in Sweden.

It is important that you know that the Swedish Migration Board 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 Swedish Migration Board hasn't appealed the decision within three weeks, the decision is upheld. Then you will be granted a residence permit. Your parents will be called to a meeting about the residence permit with the staff at the Reception Unit. If you and your parents want you to be at this meeting you are allowed to be there. You can read more about residence permits on page 18.

What happens if our appeal is refused? Refusal means that the Migration Court has said no. It won't change the Swedish Migration Board's decision. The judgement from the Migration Court can be appealed to the Migration Court of Appeal.



Appeal – Migration Court of Appeal

The Migration Court's judgement can be appealed to another court, 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.

What happens if the Migration Court of Appeal doesn't grant leave to appeal? If your parents aren't granted leave to appeal the Migration Court judgement applies.

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

What happens if the Migration Court of Appeal considers our case and approves our appeal? Approval means that the Migration Court of Appeal thinks that you can stay in Sweden. Then you will be granted a residence permit. Your parents will be called to a meeting with the staff at the Reception Unit. If you and your parents want you to be at this meeting you are allowed to be there. You can read more about residence permits on page 18.

What happens if the Migration Court of Appeal doesn't consider our case or our case is refused?

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

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

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





Return – what happens then?

What happens if we have got a refusal (no) that cannot be appealed any more? Then your parents will be called to two different meetings about returning at the Swedish Migration Board. At these meetings they will talk about travelling back to your home country or to another country that can receive you. If you and your parents want you to, you can attend this meeting.

Your parents are responsible for you leaving Sweden. They must book tickets for the journey. If they cannot arrange tickets they can get help from the Swedish Migration Board.

The first meeting about returning ends with the staff at the Swedish Migration Board going over what you should do before the next meeting. Usually your parents will receive one or several tasks to solve. This could be filling in information for travel documents, contacting the embassy of your home country, getting photographs, etc. The staff may also investigate certain things that they will present at the next meeting.

What happens before we leave? You will be summoned to the Swedish Migration Board a few

days before you travel. Then you will talk about when and how you will travel, your luggage and other things regarding your journey. If you have stayed in one of the Swedish Migration Board's flats you will find out what needs to be done before you leave it.

How does a return with the Swedish Migration Board work? It depends on where you are travelling from and what kind of journey it is whether you travel to the airport on your own or with staff from the Swedish Migration Board. The type of journey is decided by whether you have passports or need temporary travel documents. If you are travelling from an airport in Sweden and have a passport no authorities need to be involved, neither in Sweden nor in your home country.

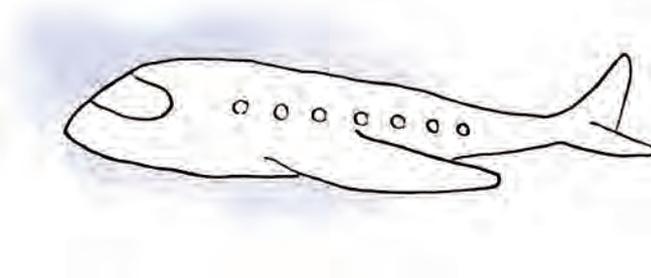
What happens if we don't want to travel home after the deportation decision? The Swedish Migration Board only works with your return if your parents agree to travel back. If you don't come when the Swedish Migration Board summons you or show that you will not comply with your journey home, the Swedish Migration Board will hand your case over to the police.

What happens if our case is handed over to the police? Then the police are responsible for you complying with the decision of the Swedish Migration Board and the court, in other words that you leave Sweden.

Can I go to school if my case is handed over to the police?

You have the right to go to school if your case is handed over to the police.

Do I have the right to health care if my case is handed over to the police? You have the right to health care as long as you remain in Sweden.

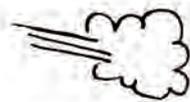


Before returning

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.



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) in Sweden. No-one chooses to leave their country voluntarily to have 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 out and talk about your thoughts.

Talk to your mum, dad, 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 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 if you have any questions.

www.migrationsverket.se

To important adults

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) in Sweden. 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.

An important adult can be:

- mum.
- dad.
- other custodial guardian.
- custodian.
- relative.
- teacher.
- welfare officer.
- staff from the Swedish Migration Board.
- person from a Non-Governmental Organisation.

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 have an important part to play. You are the person who must 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 if you have any questions.
www.migrationsverket.se



