

Temporary Protection Sweden

This annex on temporary protection complements and should be read together with the [AIDA Country Report on Sweden](#).

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Temporary Protection Procedure

A. General

The Temporary Protection Directive¹ was implemented in the Swedish Aliens Act on 1 January 2003. The legislative process of implementation of the TPD mainly consisted of the Governmental Bill 2001/02:185 Residence Permit with temporary protection at mass flight.² In 2006 the Aliens Act underwent substantial changes, and the relevant provisions for temporary protection were moved to a separate chapter. Chapter 21 of the Aliens Act refers to the TPD stating that temporary protection according to the Directive is regulated in that chapter. The provisions in chapter 21 state that those within the personal scope of a decision on temporary protection shall be granted a temporary residence permit. The Government may extend the personal scope of temporary protection to others that have fled for the same reasons. Family members to a person who has been granted temporary protection may also be granted temporary residence (see [Qualification for temporary protection](#)). An application for refugee status must be assessed at the latest as soon as possible after the temporary protection permit has elapsed. The temporary residence permit shall be combined with a work permit.

On 1 January 2003 the Act on reception of asylum-seekers was adjusted to include persons with temporary protection within the personal scope of the law.³

National legislation on temporary protection was in place when the European Union adopted its decision to implement the Temporary Protection Directive for displaced persons from Ukraine on 4 March 2022 (Council implementing decision).⁴ However, during 2022 a few amendments to the relevant national legislation were made.

In April the Government decided to extend the personal scope of temporary protection to include persons who had travelled to and stayed in Sweden during the period 30 October 2021 – 23 February 2022, if they belong to the categories of persons mentioned in article 2.1 and 2.2 of the Council implementing decision.⁵ On 1 July 2022, the Act on Reception of asylum-seekers and others was adjusted so that those who had applied for temporary protection (not only those granted temporary protection) should be included in the personal scope of the law.

In 2022, the SMA (Swedish Migration Agency) registered 50,357 applications for temporary protection. Of those applications, 49,275 were Ukrainian nationals, and 203 were Russian nationals. The remaining applications came from third country nationals from over 20 different countries, including 88 from Azerbaijan and 69 from Armenia.

SMA took decisions in 49,266 of these applications, and of those tried on the merits 47,310 (i.e. 100%) were granted a residence permit. 167 applications were rejected, 1,546 applications were dismissed, 242 applications were annulled due to double registrations.

In addition to the applications registered for temporary protection, the SMA registered 1,976 applications for asylum from Ukrainian nationals, and 746 for Russian nationals.⁶ As explained in [Access to Asylum](#), no decisions have been taken.

¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof [2001] OJ L 212/12, available at: <http://bit.ly/409uJhu>.

² Proposition 2001/02:185 Uppehållstillstånd med tillfälligt skydd vid massflykt, 21 May 2002, available in Swedish at: <https://bit.ly/3ncp5Mm>.

³ Lag (1994:137) om mottagande av asylsökande m.fl., available in Swedish at: <http://bit.ly/3ncmdz5>, 1 §.

⁴ Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection [2022] OJ L 71/1, available at: <https://bit.ly/3EztVsR>.

⁵ Aliens Act Ordinance, (2006:97) Chapter 4 Section 19 h

⁶ Migration Agency, monthly statistical report December 2022.

B. Qualification for temporary protection

According to its article 2.1 the Council implementing decision applies to the following categories of persons displaced from Ukraine on or after 24 February 2022, as a result of the military invasion by Russian armed forces that began on that date:

- (a) Ukrainian nationals residing in Ukraine before 24 February 2022;
- (b) stateless persons, and nationals of third countries other than Ukraine, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022; and
- (c) family members of the persons referred to in points (a) and (b).

According to article 2.2. Member States shall apply either the Temporary Protection Directive or adequate protection under their national law, in respect of stateless persons, and nationals of third countries other than Ukraine, who can prove that they were legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent residence permit, and who are unable to return in safe and durable conditions to their country of origin.

The persons included in article 2.1 of the Council decision were immediately included in the personal scope for temporary protection. However, for most of 2022, the SMA did not grant temporary protection to those included in the latter group (article 2.2.) but registered their applications as asylum applications.⁷

On 7 April 2022 the Government decided to widen the application of temporary protection to include persons who had travelled to and stayed in Sweden during the period 30 October 2021 – 23 February 2022, and if they belong to the categories of persons mentioned in article 2.1 and 2.2 of the implementation directive. It could also be noted that this provision excludes persons that left Ukraine shortly before 24 February but entered Sweden on or after 24 February. However, it did also refer to persons included in article 2.2 of the Council decision.

In November, the SMA provided new guidance saying that also persons included in article 2.2 of the Council decision shall be included in the personal scope of temporary protection (nationals of other third countries with permanent residency in Ukraine who resided in Ukraine before 24 February 2022 and who are unable to return in safe and durable conditions to their country of origin). The new guidance also stated that children who are born in Sweden and whose parents are Ukrainian citizens with temporary protection shall also be granted temporary protection. Further, the new guidance stated that all those within the personal scope of article 2.1 and 2.2 who had entered Sweden on 30 October 2021 or later should be entitled to temporary protection. However, as for persons mentioned in article 2.2, the SMA must examine in each case if the applicant is unable to return in safe and durable conditions to their country of origin. This means that their applications will be assessed within the framework of the ordinary asylum procedure.⁸

Residence permits due to temporary protection are valid until 4 March 2023, one year after the Council Implementation Decision. They then have to be renewed (see [Residence Permit](#)).

On 24 February 2022 the SMA decided to halt all deportations to Ukraine due to the security situation in the country. This position still applies as of January 2023. Therefore, until this decision is lifted, persons will not be deported to Ukraine irrespective of being granted temporary protection or not. On the same date the SMA decided to halt decision-making in ordinary asylum cases concerning applications for protection in relation to Ukraine, due to the difficulties to assess the situation in Ukraine and the protection needs. In April the SMA adjusted its legal position so that in cases where it is clear that protection should be granted, and the applicant could face a legal loss if the decision should be postponed, a positive decision may be made. This position applied throughout 2022.⁹

Family members are those set out in the Council Implementing decision 2022/382, article 2.4:

⁷ SMA, Legal Position RS 004/2022, April 2022

⁸ SMA, Legal Position RS 004/2022 version 2,0, November 2022, available in Swedish at: <http://bit.ly/40lYJpZ>.

⁹ SMA, Legal Position RS 004/2022 version 2,0, November 2022, available in Swedish at: <http://bit.ly/40lYJpZ>.

For the purposes of paragraph 1, point (c), the following persons shall be considered to be part of a family, in so far as the family was already present and residing in Ukraine before 24 February 2022:

- ❖ the spouse of a person referred to in paragraph 1, point (a) or (b), or the unmarried partner in a stable relationship, where the legislation or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its national law relating to aliens;
- ❖ the minor unmarried children of a person referred to in paragraph 1, point (a) or (b), or of his or her spouse, without distinction as to whether they were born in or out wedlock or adopted;
- ❖ other close relatives who lived together as part of the family unit at the time of the circumstances surrounding the mass influx of displaced persons, and who were wholly or mainly dependent on a person referred to in paragraph 1, point (a) or (b) at the time.

The Governmental Bill Residence Permit with temporary protection at mass flight made it clear that unmarried partners and registered partners (former national legislation on same-sex marriage) should be treated on an equal basis with married couples in the Aliens Act. Therefore, unmarried partners are also included in the personal scope of family members mentioned in article 2.1.¹⁰

There are no additional requirements such as income or accommodation if the applicant would qualify for temporary protection according to article 2.1. c of the Council decision.

Family members to those granted temporary protection due to the nationally extended personal scope (persons that left Ukraine from 30 October 2021 until 23 February 2022) have the same right to temporary protection as those whose family member is included in the personal scope of the Council decision.

The Aliens Act states that certain family members may be granted temporary protection permits. The relevant provision does not exclude family members that may fall outside the definition on the Council decision. The family members explicitly mentioned in the provision include: married or unmarried partner, unmarried children to the person with temporary protection status or his/her partner, other closer relatives if there is a particular dependency.¹¹

The SMA has stated that children who are born in Sweden with a parent who has temporary protection should be considered as a family member and be granted temporary protection according to the national provision, even if the child and parent had not lived together in Ukraine before 24 February 2022.

It should be noted that the provisions on temporary protection are given priority to other grounds for residence permit. This means that a person who would have the right to residence permit due to family ties (to a person residing in Sweden without temporary protection) would not be granted residence permit on grounds for family reunification but instead a temporary protection permit if they should qualify for temporary protection. The content of temporary protection in terms of social rights and validity time of the permit could be seen as less beneficial than a permit due to family reunification.

C. Access to temporary protection and registration

1. Admission to territory

The Government on 23 March 2022 decided to implement expanded identity checks for certain ferry travels to Sweden. For passenger ferry travels surpassing 20 nautical miles, the transport company are legally obliged to control that all passengers have valid identity cards with photo. A person without such identity card shall not allowed to board the ferry. Children who travel with a parent who can show an

¹⁰ Aliens Act Chapter 21, Section 4, and Governmental Bill 2001/02:185 Residence Permit with temporary protection at mass flight, available in Swedish at: <https://bit.ly/3LU7mUI>, 46.

¹¹ Aliens Act Chapter 21 Section 4.

identity card are exempted from the obligation to provide an identity card. The changes were introduced on 28 March and initially valid until 1 September 2022, then extended until 31 December 2022. A transport company that does not perform this control is subject to a fine.¹² However, there were no cases of such fines reported in 2022. Both the European Commission and UNHCR have recommended that states do not introduce penalties for transport companies that accepts persons without proper travel documents, who need protection.

On 15 March the Government proposed a temporary law in order to allow for identity checks for travels with bus, train, and all passenger ferries to Sweden.¹³ However, this proposal was withdrawn.

Sweden continues to have temporary internal border controls since November 2015. The Government extended the temporary controls in May and November 2022, which currently run until 11 May 2023.¹⁴ The Swedish Police is responsible for deciding at what place and time these controls should be conducted.

There are no reports that people fleeing from Ukraine have been refused entry at the border to Sweden. There are also no reports of difficulties to re-enter in Sweden for persons who returned to Ukraine.

2. Freedom of movement

It has not been reported that movement in general has been a problem for persons without a biometric passport or biometric travel document. However, some travel companies offered free travels for Ukrainian passport holders, which therefore excluded those entitled to temporary protection without a Ukrainian passport to benefit from this offer.¹⁵

3. Registration under temporary protection

The SMA (Swedish Migration Agency) is responsible for registering applications for temporary protection. Applications may be submitted in person at SMA offices or using an online application form. There are no specific time-limits for applying for temporary protection, other than the fact that Ukrainian nationals may only stay in Sweden legally during 90 days, following which they need a legal basis to remain.

The SMA started to register applications for temporary protection immediately after the Council decision to activate the Temporary Protection Directive. Asylum applications that had been previously registered by persons who are included in the personal scope of the temporary protection were processed as applications for temporary protection.

On 16 March 2022 the Swedish Public Radio reported that there were long queues outside the Migration Agencies offices with persons who were waiting to register their applications for temporary protection. It was reported that some persons were standing in line for a full day without getting the opportunity to hand in their application. Within a week thereafter the online application system was launched, and since then there has not been any reported difficulties to register applications.¹⁶

¹² Ministry of Rural Affairs and Infrastructure, 'Obligatorisk identitetskontroll vid resa med passagerarfartyg', 15 July 2022, available in Swedish at: <https://bit.ly/3msSvFV>.

¹³ Promemorior "Särskilda åtgärder vid allvarlig fara för den allmänna ordningen eller den inre säkerheten i landet till följd av Rysslands aggression mot Ukraina" (dnr I2022/00657)

¹⁴ Ministry of Justice, 'Reintroduced temporary internal border controls', 11 November 2022, available at: <http://bit.ly/3EWvPnS>.

¹⁵ Svt Nyheter, 'Flyktingar från Ukraina får resa gratis med Västtrafik', 9 March 2022, available in Swedish at: <http://bit.ly/3nnjqmY>; Storstockholms Lokaltrafik, 'Ukrainian passport or ID = a valid ticket for public transport in Stockholm', available at: <https://bit.ly/3K9Elgz>.

¹⁶ SverigesRadio, 'Långa köer för att komma in till Migrationsverket', 16 March 2022, available in Swedish at: <http://bit.ly/3moT1Vf>.

On 22 March 2022, the SMA opened up the possibility to apply for temporary protection using an online application form. Only Ukrainian nationals with a valid passport or other identity documents may apply online. A copy of passport or id-cards should be attached to the application. Applications can still also be submitted in person before the SMA in certain cities.¹⁷ Unaccompanied children must apply in person.

In January 2023, SMA informed on its website that from 1 February until 4 March 2023 it is possible to apply for an extension of the residence permit for temporary protection status holders, using an e-service application form. It is not necessary to attach passport copies or other documents. After having registered the application for extension, applicants are given an appointment at an SMA office to provide fingerprints and be photographed.

The issue of a TPD rejection decision is not entirely clear regarding legal avenues to contest this decision. If the SMA takes a decision on deportation, such decision can be appealed. However, if an applicant for temporary protection is considered to be outside the personal scope of the temporary protection, the person is advised to seek asylum and the application will be handled as an ordinary asylum application by the SMA. If this is done, no deportation decision is taken. On 24 February 2022 SMA decided to halt decision-making in ordinary asylum cases concerning applications for protection in relation to Ukraine. This position continues to apply.

4. Legal assistance

Persons who are entitled to temporary protection are not assigned a legal representative by the SMA. There is no general free legal assistance available, but several NGOs and lawyers have provided legal assistance to temporary protection status holders. The processing time at the SMA from registration to decision has been short, on average 19 days.¹⁸

The Swedish Bar Association arranged free legal advice in some cities to Ukrainian nationals.¹⁹ The Government decided on a budget of SEK 68,8 million on grants to civil society organisations working with support (support in general, not only legal support) to persons from Ukraine seeking protection in Sweden. Grants were awarded by the Swedish Agency for youth and society. Among the organisations who received such grants were Sweden City missions, Swedish Red Cross, and Swedish Refugee Law Center.²⁰

5. Information provision and access to NGOs

The 1994 Ordinance on the Reception of Asylum Seekers states that the SMA must inform the applicants of organisations that provide services to asylum seekers.²¹ There is no specific national legislation on information to temporary protection applicants or beneficiaries.

SMA has information on its website on how to apply for temporary protection status, how to apply for financial support and assistance with accommodation, and information on the right to work, attend school and access health care. The information is available in English, Ukrainian, and Russian. The information is available in writing and audio for all three languages.²²

There is no restriction in access to NGOs, although some accommodations are located in remote areas which could make it more difficult to physically access NGO services.

¹⁷ Boden – Service Centre, Gothenburg/Kållerød – Arrival Unit, Malmö, Norrköping – Service Centre, Stockholm - Solna, Sundsvall – Service Centre.

¹⁸ Migration Agency, monthly statistical report December 2022.

¹⁹ The Swedish Bar Association, 'Swedish Lawyers' Aid for Ukraine', available at: <http://bit.ly/42KbV9S>.

²⁰ MUCF, 'Insatser för människor från Ukraina som söker skydd i Sverige', available in Swedish at: <http://bit.ly/3YqTEuX>.

²¹ Section 2a Ordinance on the reception of asylum seekers.

²² SMA, 'Apply for protection under the Temporary Protection Directive for the first time', available at: <http://bit.ly/3F4jeij>.

D. Guarantees for vulnerable groups

In 2022, 771 applications for temporary protection were registered for unaccompanied minors.²³ The online application form was not available to unaccompanied minors, who instead needed to apply in person at SMA offices. Housing for unaccompanied minors is under the responsibility of a municipality designated by the SMA. The municipality will appoint a guardian for an unaccompanied minor (see [General Report on Sweden](#), Legal representation of unaccompanied minors).

Swedish civil society organisations have expressed concern that screening of vulnerability of children, to identify special needs and support is not carried out for children falling under the Temporary Protection Directive. According to a report from UNICEF Sweden, many children who arrive in Sweden from Ukraine need some form of trauma treatment. As psychiatric care in Sweden was already under great pressure, the organisations behind the report are concerned that children fleeing the war in Ukraine are not getting the psychiatric treatment they need in time.²⁴

The Swedish Gender Equality Agency has launched a portal dedicated to those fleeing Ukraine with information about human trafficking in English and in Ukrainian.²⁵

²³ Migration Agency, monthly statistical report December 2022.

²⁴ UNICEF Sweden, Appendix 2, Report on reception of refugees from Ukraine, 2022, available at: <https://bit.ly/3YoPJyw>.

²⁵ Swedish Gender Equality Agency, 'To you fleeing Ukraine', available at: <http://bit.ly/3FMO8w7>.

Content of Temporary Protection

A. Status and residence

1. Residence permit

Indicators: Residence permit

- | | |
|--|--|
| 1. What is the duration of residence permits granted to beneficiaries of temporary protection? | Until 4 March 2023, renewals and applications thereafter until 4 March 2024. |
| 2. How many residence permits were issued to beneficiaries from the activation of the Temporary Protection Directive until 31 December 2022? | 47,310 |

The SMA is the authority responsible for registering, assessing, and granting applications for temporary protection. The SMA started to register these applications immediately after the EU Council decision to activate the Temporary Protection Directive. Asylum applications that had previously been registered by persons who are included in the personal scope of the temporary protection were processed as applications for temporary protection.

On 22 March 2022, SMA opened the possibility to apply for temporary protection using an online application form. Applications can still also be submitted in person before SMA in certain cities.

The temporary residence permit was issued until 4 March 2023, and beneficiaries were issued a residence card valid until that date.

In January 2023, SMA informed on its website that from 1 February until 4 March 2023 it is possible to apply for extension of residence permit for temporary protection beneficiaries, using an e-service application form. It is not necessary to attach passport copies or other documents. After having registered the application for extension, applicants are given an appointment at the Migration Agency to provide fingerprints and be photographed.²⁶

Persons over 16 years old with temporary protection status have the right work once they receive their residence permit decision. It is necessary to register with the Swedish Tax Agency if you find work. This can be done by individuals or employers. Beneficiaries of temporary protection who are employed are eligible for social security related to employment, such as loss of income due to sickness or accident

Beneficiaries of temporary protection only have access to emergency health care and necessary dental care. However, children are entitled to every type of health and dental care.²⁷

Persons who are granted temporary protection have right to a daily allowance in accordance with the same legal provisions as asylum-seekers.²⁸ A single adult will receive SEK 24 or 71, depending on whether food is also provided with accommodation. A couple is entitled to SEK 61 per day and children SEK 12 per day.

Beneficiaries of temporary protection have the right to accommodation.²⁹ SMA is initially responsible but may assign the responsibility regarding accommodation for a person with temporary protection to a municipality.

Regarding persons with temporary protection that might seek temporary protection in another EU member, the SMA states on its website that all EU countries share information about people receiving

²⁶ SMA, 'Extending a residence permit under the Temporary Protection Directive', available at: <http://bit.ly/3z7juK7>.

²⁷ Section 4, 5, and 6 § Act on health care of asylum-seekers and others (2008:344).

²⁸ Act on the Reception of Asylum Seekers and others.

²⁹ Act on the Reception of Asylum Seekers and others.

protection under the Temporary Protection Directive in a common database. If a person is granted a residence permit under the Temporary Protection Directive in another EU country, the Swedish Migration Agency will receive information about this, and will then stop providing accommodation and financial support. However, the temporary residence permit in Sweden will not be revoked should the permit holder leave Sweden and get a residence permit in another EU country.

A person who already has been granted temporary protection in another EU member state may apply and be granted temporary protection in Sweden as long as they fall within the personal scope applied in Sweden.³⁰

2. Access to asylum

According to the Aliens Act (Chapter 21 Section 5) an application for residence permit as a refugee may be examined even if the applicant has been granted temporary protection. This applies also concerning application for refugee status and travel document. Such application may be postponed if there are particular reasons for this, but must be examined, by the latest, as soon as possible after the temporary protection has ceased.

Persons that are eligible for temporary protection in Sweden are granted residence permits due to temporary protection. Applications for asylum from these persons will be treated as an application for international protection status. On 24 February 2022 the SMA decided to halt all deportations to Ukraine due to the security situation in the country. This position still applied as of January 2023.³¹ Therefore, until this decision is lifted, persons will not be deported to Ukraine irrespective of being granted temporary protection or not. On the same date the SMA decided to halt decision-making in ordinary asylum cases concerning applications for protection in relation to Ukraine, due to the difficulties to assess the situation in Ukraine and the protection needs. In April the SMA adjusted its legal position so that in cases where it is clear that protection should be granted, and the applicant could face a legal loss if the decision should be postponed, a positive decision may be made. This position applied throughout 2022.³² A report by Swedish Refugee Law Center published in June 2022 analysed a number of issues regarding the implementation of the Temporary Protection Directive.³³

B. Family reunification

Temporary protection beneficiaries are not considered as residents in Sweden. For this group it is not possible to apply for family reunification referring to the provisions in place for residents and persons with other international protection statuses.

Family members of temporary protection beneficiaries will in general fall within the personal scope of article 2.1. c of the Council implementing decision and would therefore qualify for temporary protection themselves. Thus, family members are referred to the possibility to apply for temporary protection (see [Qualification for temporary protection](#)). However, it is only possible to apply for temporary protection for persons in Sweden. There are no additional requirements such as income or accommodation if the applicant would qualify for temporary protection according to article 2.1. c of the Council decision.

C. Movement and mobility

There are no restrictions of movement within Sweden and beneficiaries may leave Sweden.

³⁰ SMA, 'Frequently asked questions about the Temporary Protection Directive for you from Ukraine', available at: <http://bit.ly/3nlHwyo>.

³¹ SMA, Legal Position RS 004/2022 version 2,0, November 2022, available in Swedish at: <http://bit.ly/40lYJpZ>.

³² SMA, Legal Position RS 004/2022 version 2,0, November 2022, available in Swedish at: <http://bit.ly/40lYJpZ>.

³³ Swedish Refugee Law Center, *Massflyktsdirektivet aktiveras – Tillfälligt skydd i Sverige*, 2022, available in Swedish at: <https://bit.ly/3Zhfq4F>.

D. Housing

Indicators: Housing

1. For how long are temporary protection beneficiaries entitled to stay in reception centres? ³⁴	1 month
2. Number of beneficiaries staying in reception centres ³⁵ as of 02/2023	981
3. Number of beneficiaries staying in private accommodation in 2022	18,942 ³⁶

Temporary protection beneficiaries are included in the personal scope of the Act on reception of asylum-seekers and others.³⁷ According to this law, the SMA is responsible for providing accommodation for these persons. Housing for unaccompanied minors is under the responsibility of a municipality designated by the SMA. At the time of implementation of the Temporary Protection Directive, persons who had applied for temporary protection but not yet been granted protection were not covered by the law on reception of asylum-seekers. The SMA notified on its website in May 2022 that applicants for temporary protection could nevertheless get assistance with accommodation. On 1 July 2022, the Act on Reception of asylum-seekers and others was amended so that applicants for temporary protection are covered explicitly by the law.

Those in need of accommodation can contact the Migration Agency for support at any time; also if they had previously chosen to find an accommodation on their own. Those who decide to arrange their accommodation on their own might not be entitled to financial support if they live in residential areas with social and economic challenges. Persons who are covered by the law on reception of asylum-seekers are not entitled to general assistance according to the Social Service Act.

The amendments in the law on reception of asylum-seekers on 1 July 2022 also included a provision that the SMA may assign a municipality to be responsible for providing accommodation for those in need of temporary protection.³⁸ After this date the SMA started to assign responsibility to municipalities according to a defined list of numbers of protection beneficiaries to be received per municipality. Most beneficiaries could stay in the municipality they lived in at that time, of those relocated most could move to a nearby municipality.³⁹

Regarding the different forms of housing, the SMA offers short term reception accommodation with staff employed, and long-term accommodation, usually in the form of apartments which are shared with other asylum-seekers. Housing provided by the SMA or a municipality is also organised through public procurement, where private property owners – companies not private individuals – provide the accommodation.

There has not been any State organised or subsidised private accommodation. Nevertheless, private individuals and organisations have arranged accommodation for persons fleeing from Ukraine. The SMA did not at any time state that they did not have any accommodation to offer those seeking temporary

³⁴ 1 month following the designation of a municipality as a reception municipality by the SMA.

³⁵ Information provided in e-mail from SMA on February 2023

³⁶ This is the average number of temporary protection beneficiaries who were staying in private accommodation not offered by SMA during 2022, according to the SMA, Annual report 2022, available in Swedish at: <https://bit.ly/3nF5K6W>.

³⁷ Section 1 Act on Reception of Asylum-seekers and others.

³⁸ Regulation (2022:1008) Förordningen om anvisning av en kommun som ska ordna boende för vissa utlänningar.

³⁹ SMA, 'Regulation (2022:1008) Förordningen om anvisning av en kommun som ska ordna boende för vissa utlänningar', 30 August 2022, available in Swedish at: <http://bit.ly/40AmYR3>.

protection who requested accommodation. In March and April 2022, short term accommodation solutions were jointly organised by the SMA, County Administrative Boards, and Municipalities.

E. Employment and education

1. Access to the labour market

A person who is granted temporary protection permit will also be granted a work permit.⁴⁰ In general, all persons over 16 years have the right to work if they have fulfilled their mandatory education, but particular restrictions regarding working hours applies for those under 18 years.⁴¹ It is necessary to register with the Swedish Tax agency before starting to work. This can be done by individuals or employers.

Temporary protection beneficiaries must be assigned a coordination number at the Swedish Tax Agency. A coordination number is needed in order to pay taxes in Sweden, and it could also be a condition for opening a bank account. In April 2022 the Tax Agency stated that processing time for applications for tax registry was up to 16 weeks.⁴² Individuals may apply for coordination number themselves, and in August 2022 the SMA started to systematically apply for coordination numbers for temporary protection beneficiaries to facilitate and speed up the process.⁴³

Those beneficiaries of temporary protection who are employed are eligible for social security related to employment (such as loss of income due to sickness or accident).⁴⁴

Temporary Protection beneficiaries may register at the Public Employment Agency (Arbetsförmedlingen), and may benefit from the existing forms of subsidised employment contract. However, no particular labour market integration measures have been designed for temporary protection beneficiaries from Ukraine in Sweden.⁴⁵

The private adult education organisation Folkuniversitetet launched a free programme, 'Work for Ukrainians', in several places across the country. The programme is co-funded by the European Social Fund. The programme includes individual coaching, skills mapping, language training, skills development and validation, as well as matching with employers.⁴⁶

The Swedish Council for Higher Education evaluates foreign qualifications in order to provide support for people looking for work in Sweden, people who wish to continue studying, or for employers who wish to employ someone with foreign qualification.⁴⁷

2. Access to education

Children who are granted temporary protection have a right, but – contrary to children with other international protection status – not an obligation, to attend school. Thus, they have the same right to education as asylum-seeking children.⁴⁸ Children also have the right to lessons in their own mother tongue on a regular basis, if there are more than 5 pupils with the same language in the area. Itinerant mother tongue teachers are employed for that purpose.

⁴⁰ Aliens Act, Chapter 21 section 7.

⁴¹ Work Environment Act, Chapter 5 Section 2.

⁴² Information from the Tax Agency website on 28 April 2022, see Swedish Refugee Law Center, *Massflyktsdirektivet aktiveras – Tillfälligt skydd i Sverige*, 2022, available in Swedish at: <https://bit.ly/3Zhfq4F>.

⁴³ SMA, 'The Swedish Migration Agency will request coordination numbers', 1 August 2022, available at: <http://bit.ly/40EFg3s>.

⁴⁴ Governmental Bill 2001/02:185 Residence Permit with temporary protection at mass flight, available in Swedish at: <https://bit.ly/3LU7mUI>, 80.

⁴⁵ Also see Nordic Council of Ministers, *Implementation of temporary protection for refugees from Ukraine – A systematic review of the Nordic countries*, available at: <http://bit.ly/40vi4oi>.

⁴⁶ Folkuniversitetet, 'Work for Ukrainians', available at: <http://bit.ly/3JMSMLM>.

⁴⁷ For further information, see their website: <http://bit.ly/42xFF9I>.

⁴⁸ Chapter 7 Section 2, Chapter 8 Section 3 Swedish Education Act (skollag (2010:800)).

Children between 16 and 18 years have the right to secondary education or vocational education. However, they may first have to attend a preparatory course to improve their Swedish language skills. Persons who are over 18 upon arrival in Sweden have no right to access secondary education.

Adults and persons over 16 years have no right to attend the introduction courses in Swedish for immigrants (SFI), which are offered to new immigrants residing in a municipality.

A community education course is available online and offered by the SMA 'Swedish from day one', which is run by folk high schools and adult education organisations, such as ABF and Folkuniversitetet. Other courses designed for asylum-seekers by municipalities are also available for refugees from Ukraine. However, these courses are limited in time and are not available everywhere across the country.⁴⁹ Folkuniversitetet organise courses in Swedish language for temporary protection beneficiaries.⁵⁰

Adults may apply for higher education and be accepted if they fulfil the criteria for the particular course or program. Persons with residence permit on other grounds than study permit are not obliged to pay study fees to universities.⁵¹

The Swedish National Agency for Education conducted a survey asking all municipalities to provide information about the number of children aged 6–17, that have fled Ukraine, that are enrolled in or have applied for a place in school by the beginning of September 2022. According to the municipalities close to 6,800 children aged 6–17 that have fled Ukraine, had by the beginning of September 2022 enrolled in or had applied for a place in preschool class, compulsory school, compulsory school for pupils with learning disabilities, upper secondary education, or upper secondary school for pupils with learning disabilities. In conclusion four out of five children from Ukrainian refugee families attend or have applied for a place in schools in Sweden. About half of the municipalities responded that overall, they have access to teachers or other personnel with knowledge in Ukrainian, Russian, or other relevant language in pre-school and compulsory school.⁵²

In a report published by UNICEF Sweden, prepared by several civil society organisations, concerns were raised over information that many children from Ukraine had not started school within one month or longer after their arrival.⁵³

It has been reported to be common that children with temporary protection who attend Swedish school also continue to attend Ukrainian school classes online. The curricula between Sweden and Ukraine elementary school differs which is reported to affect the learning process adversely.⁵⁴

F. Social welfare

Persons who are granted temporary protection are covered by the Act on reception of asylum-seekers and others. They have a right to daily allowance in accordance with the same legislation as asylum-seekers.⁵⁵ Temporary protection beneficiaries are not entitled to financial or other assistance according

⁴⁹ Nordic Council of Ministers, *Implementation of temporary protection for refugees from Ukraine – A systematic review of the Nordic countries*, available at: <http://bit.ly/40vi4oi>.

⁵⁰ Folkuniversitetet, 'SFI for Ukrainians', available at: <http://bit.ly/3z2VgRj>.

⁵¹ Section 2 and 5 of Ordinance 2010:543 (Förordning om anmälningsavgift och studieavgift vid universitet och högskolor), available in Swedish at: <http://bit.ly/3ZerPpP>.

⁵² Skolverket, *Children from Ukraine in Swedish compulsory and upper secondary school, the situation as of early September 2022*, 2022, short summary in English available at: <http://bit.ly/3FVq8H5F>

⁵³ UNICEF Sweden, Appendix 2, Report on reception of refugees from Ukraine, 2022, available at: <https://bit.ly/3YoPJyw>.

⁵⁴ UNHCR presentation at the seminar Temporary protection for refugees from Ukraine in the Nordic countries – From emergency reception to longer-term sustainable response on 8 December 2022.

⁵⁵ Act on Reception of asylum-seekers and others.

to the Social Service Act which covers persons residing in Sweden. The level of daily allowance is considerably lower than the financial support granted to Swedish residents in accordance with the Social Services' Act. The level of daily allowance has not been adjusted since 1994. A single adult will receive SEK 24 or SEK 71 (SEK 2,130 /EUR 187 per month), depending on whether food is also provided with accommodation. A couple is entitled to SEK 61 per day and children SEK 12 per day. Persons who can support themselves are not entitled to daily allowances. Those who decide to arrange their accommodation on their own might not be entitled to financial support if they live in residential areas with social and economic challenges.⁵⁶ Both SMA and Social service in municipalities may take decisions to grant daily allowances in accordance with the Act on Reception of asylum-seekers.⁵⁷

At the time of implementation of the Temporary Protection Directive on 4 March 2022, persons who had applied for temporary protection but not yet been granted protection were not covered by the law on reception of asylum-seekers. The Government decided on 24 May 2022 that those who apply for protection under the Temporary Protection Directive and have no money of their own can apply for financial support from the SMA while a decision is being issued on their residence permit. The aid would be granted at the earliest from the day the application is submitted. On 1 July 2022, the Act on Reception of asylum-seekers and others was amended so that applicants for temporary protection are covered explicitly by the law.

Persons who are covered by the Act on reception of asylum-seekers are not entitled to assistance according to the Social Service Act. Temporary protection beneficiaries are not registered as residents in Sweden and are therefore not entitled to financial support that are based on residency, such as a child benefit and housing allowance.

The low level of financial support for asylum-seekers in general has been criticised by Save the Children⁵⁸ and the UN Committee of the rights of the child rights.⁵⁹ According to Save the Children the level of available support is not sufficient to ensure basic needs like food, winter clothing and hygiene products, nor to cover transport costs to work, school or health care.

G. Health care

Persons who are granted temporary protection have the same right to health care as asylum seekers. This means that children should be offered full health and dental care at the same level as Swedish residents. Adults are only offered such health care, including dental care, that cannot wait, maternal health care and care in case of abortion.⁶⁰ Temporary protection beneficiaries are offered health examination at Public Health Clinics.⁶¹

According to a report from UNICEF Sweden, many children who arrive in Sweden from Ukraine need some form of trauma treatment. As psychiatric care in Sweden was already under great pressure, the organisations behind the report are concerned that children fleeing the war in Ukraine are not getting the psychiatric treatment they need in time.⁶²

⁵⁶ For further information, see AIDA Country Report Sweden – 2022 Update, March 2023, available at: <https://bit.ly/40LjcF6>.

⁵⁷ Information in Swedish on the website of The Swedish Association of Local Authorities and Regions (SALAR), see <http://bit.ly/42DJGJV>.

⁵⁸ Save the Children, *Rädda Barnens yttrande över utkast till lagrådsremiss "Åtgärder för en jämnare fördelning av boende för vissa skyddsbehövande"*, 29 April 2022, available in Swedish at: <http://bit.ly/40xPv9M>.

⁵⁹ Committee on the Rights of the Child, *Concluding observations on the fifth periodic report of Sweden*, 6 March 2016, available at: <https://bit.ly/3JNfofd>, s. 10-11.

⁶⁰ Section 4 § Act on health care of asylum-seekers and others (2008:344).

⁶¹ Section 7 § Act on health care of asylum-seekers and others (2008:344).

⁶² UNICEF Sweden, Appendix 2, Report on reception of refugees from Ukraine, 2022, available at: <https://bit.ly/3YoPJyw>.

The restrictions on the right to health care for asylum-seeking in adults in general have been criticised from NGOs, The Swedish Medical Association, and the National Board of Health and Welfare.⁶³ In practice, access to health care may vary since it is ultimately the caregiver who determines if the care intervention may or may not wait.

⁶³ Medecins Sans Frontieres, 'Ge asylsökande och papperslösa vård på lika villkor', 28 January 2018, available at: <http://bit.ly/3TLjcSH>; Socialstyrelsen, *Vård för papperslösa. Vård som inte kan anstå, dokumentation och identifiering vid vård till personer som vistas i landet utan tillstånd*, 2014, available in Swedish at: <https://bit.ly/40gKmU3>, 27.