



SWEDEN: Information for refugees who are returned to Sweden

Under the Dublin Regulation, refugees may be transferred to the EU country responsible (in most cases, the country of first entry), so that the asylum procedure is carried out there. Refugees who have already been recognised in another EU country will be returned to that country on the basis of the safe third country clause because their asylum application is not admissible in Germany.

For many refugees, their imminent return to another EU country creates great uncertainty.

Our guide is intended for advisers, voluntary support groups and people who are affected. It is supposed to show existing services and contacts. Refugees will be given information about their situation after being returned as well as addresses of organisations they may contact locally for support.

However, no assessment of these organisations and services is made. We do not claim that the list is exhaustive.

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Table of contents

Procedure after re-entry into Sweden	3
What needs to be done first?	3
Residence status in Sweden	4
Procedures under the law of residence / asylum procedures	
Competent authorities	6
What duties do asylum seekers have in Sweden?	6
What rights do asylum seekers have in Sweden?	
Return to the country of origin	7
Identification document for asylum seekers (LMA card)	
Entry in the Swedish population register	
Accommodation after re-entry	7
Financial support for asylum seekers	8
Access to health care	
Access to housing	
Access to the labour market	
Access to social services	
Access to educational institutions	11
Access to language courses	11
Vulnerable groups	11
Annex: Where can I get advice and support?	13
Information material on Swed <mark>en for re</mark> fugees in various languages:	13
Contacts / local advisory services	13
Sources	16



Procedure after re-entry into Sweden

Returned persons are accompanied to the Migration Agency *Migrationsverket* or referred there after their arrival in Sweden. The Migration Agency has an office at Arlanda airport in Stockholm. Returned persons may submit their application for asylum to this office, unless they have filed an asylum application in Sweden before.

Returned persons whose application for asylum in Sweden was rejected are received by the police and may be detained pending deportation.

What needs to be done first?

That depends on whether the person concerned left Sweden while the asylum procedure was in progress or whether he/she had not yet initiated an asylum procedure in Sweden before his/her departure. Depending on the situation, different steps must be taken:

1) The person concerned has not lodged an application for asylum in Sweden yet.

The person concerned may apply for asylum. The application for asylum is lodged with the Migration Agency *Migrationsverket*. It is best to contact the local police to be referred to the relevant office.

If no application for asylum is lodged, the person concerned may be imprisoned for illegal residence.

- 2) The person concerned has already lodged an application for asylum in Sweden and left Sweden during the asylum procedure.
 - a) A decision in favour of granting the asylum application has been taken: Protection status has been granted. The person concerned has residence status in Sweden. He/she must contact the Migration Agency to obtain a residence permit.
 - b) No decision has yet been taken on the asylum application:

The returnee must state that he/she continues to seek asylum. Normally, the asylum application is processed further.

If it was determined that the person concerned has left Sweden, the asylum application may have been classified as withdrawn during their absence. If no interview took place before departure, a new procedure is initiated. Asylum seekers are entitled to accommodation and financial aid.

c) The asylum application was rejected:

If the asylum application was rejected with final and binding effect, the refugee must leave Sweden and may be arrested upon arrival in Sweden. If deportation is ordered, refugees are only entitled to accommodation and financial aid if they are willing to leave Sweden voluntarily and return to their country of origin. If there are obstacles that prevent deportation, the person concerned may be released from detention; however, he/she will usually not be entitled to any benefits.

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If an appeal against the rejected asylum application is pending, the appeal normally continues. The person concerned should inform the lawyer or the court of the new address to prevent a discontinuation of the procedure.

A new asylum procedure can only be initiated if there are new grounds (subsequent application).

Residence status in Sweden

International protection:

- Refugee status (flykting):
 A temporary residence permit is granted for three years. There is a right to family reunification.
- Subsidiary protection (alternativt skyddsbehövande):
 A temporary residence permit is granted for 13 months. Following an amendment of the law with effect from 20 July 2019, persons granted subsidiary protection are again entitled to family reunification if the beneficiary of protection has a reasonable chance of obtaining a permanent residence permit. Previously, persons granted subsidiary protection were entitled to family reunification only in a few exceptional cases.

National protection:

Person who otherwise needs protection:
 Following an amendment of the law in 2016, this status is only granted to children or families with children who applied for asylum before 24 November 2015 and where the child concerned has not yet reached the age of 18 when the decision on the asylum application is taken.

Procedures under the law of residence / asylum procedures

Applications for asylum may be lodged with the relevant offices of the Migration Agency (*Migrationsverket*) in Gothenburg, Malmö or Stockholm. Persons entering the country are referred there by the police upon arrival at the border.

Asylum seekers are registered by the Migration Agency; they must give their personal details and state the reasons for applying for asylum. Their fingerprints and photographs are taken. There is an initial meeting where refugees should mention special needs such as those relating to health. Asylum seekers receive information about accommodation, financial support, health care and school attendance for children.

Then the asylum application is registered and the submitted documents are examined. Subsequently, the person concerned is invited to a detailed interview. There may be longer waiting times for the appointment. For the interview, the person concerned is entitled to an interpreter and, depending on the kind of asylum procedure, to a legal adviser; it is possible to ask for a person of the same sex.

After registration, the asylum seeker at first receives a certificate of registration as an asylum seeker. Later he/she will receive an identification document for asylum seekers (*Lagen om mottagande av asylsökande*, LMA-kort); this document serves as proof that the asylum seeker may reside in Sweden.

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The applications for asylum are allocated to different procedures (tracks) and processed. In the case of persons with a good chance of staying in the country, an accelerated procedure is carried out.

Also in the case of applications which the Migration Agency considers to be manifestly unfounded or in the case of asylum seekers from countries with a low recognition rate (below 20%), an accelerated procedure is carried out within a few weeks. Immediate departure may be ordered. There is an interview, but without a legal adviser. Countries with a low recognition rate are (situation as at 31 December 2018): Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Columbia, Ivory Coast, Cuba, Egypt, El Salvador, Georgia, Kazakhstan, Kyrgyzstan, Kosovo, Macedonia, Morocco, Moldavia, Mongolia, Montenegro, Serbia, Tunisia, Ukraine and Vietnam.

Legal advisers and interpreters:

Asylum seekers are entitled to free legal advice both during the normal asylum procedure and during the appeal procedure. In the case of manifestly unfounded applications, a legal adviser may be requested for the appeal. The lawyer is proposed by the Migration Agency; upon request, a certain person may be appointed.

Asylum seekers are entitled to an interpreter in all stages of the procedure.

Decision:

Following the decision, the applicant is invited to a talk with the Migration Agency during which he/she is informed of the decision and the reasons for it.

If a decision in favour of granting the asylum application is taken, the person concerned is granted a residence permit that entitles him/her to live and work in Sweden. If a decision against the application is taken, the person must leave Sweden.

Appeal:

If the asylum application is rejected, the applicant may lodge an appeal.

This must be done within the period stipulated in the rejection letter, usually within three weeks. The appeal is sent to the Migration Agency. The Agency will examine the matter. If there is new information, the Migration Agency may change the original decision. Otherwise, the appeal is transferred to the Migration Court. The appeal has a suspensive effect, unless immediate departure has been ordered.

An appeal may be lodged with the Migration Court of Appeal against the decision of the Migration Court within three weeks. However, leave to appeal is only granted in a small number of cases.

Subsequent application:

After the first asylum application has been rejected with final and binding effect, a subsequent application may be lodged. A new asylum procedure is only carried out if there are new reasons indicating that the refugee is in need of protection or if there is new evidence. There is no right to free legal advice or an interpreter when a subsequent application is lodged.

Rejected asylum applicants may apply for a work permit on certain conditions if they have a iob offer.

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Competent authorities

Stage of the procedure	Competent authority	English name
Application on the	Migrationsverket	Migration Agency
territory		
Dublin procedure	Migrationsverket	Migration Agency
Refugee status	Migrationsverket	Migration Agency
determination		
First appeal	Förvaltningsrätten	Migration Court
	Migrationsdomstolen	
Second (onward) appeal	Kammarrätten i Stockholm,	Migration Court of Appeal
	Migrationsöverdomstolen	
Subsequent application	Migrationsverket	Migration Agency

Source: Country Report: Sweden; aida Asylum Information Database; 2018 update

Contact with the Migration Agency:

Migrationsverket Tel. +46 771 235 235

Stockholm: Sturegatan 15, Sundbyberg Gothenburg: Streteredsvägen 90, Kållered

Malmö: Jägersrovägen 160 https://www.migrationsverket.se/

What duties do asylum seekers have in Sweden?

Asylum seekers are obliged

- to remain in Sweden until a decision on the asylum application is taken;
- to cooperate with the <u>Swedish</u> auth<mark>orities, i.e. to provide the information required, to submit documents, to keep appointments;</mark>
- to have their fingerprints and photographs taken;
- to inform the authorities of their place of residence in Sweden and any changes.

What rights do asylum seekers have in Sweden?

As soon as an application for asylum is lodged, asylum seekers

- have the right to remain in Sweden until a decision on the application is taken;
- are entitled to necessary health care;
- are entitled to accommodation;
- are entitled to financial support if they have no means of their own;
- are entitled to free legal advice (depending on the kind of asylum procedure);
- are entitled to free interpreting during the asylum procedure.

In the event of any discrimination or infringement of rights, an advisory centre of an NGO should be contacted; see addresses in the annex.



Return to the country of origin

For certain countries and subject to certain conditions, it is possible for refugees who want to return to their country of origin to receive financial support for their return and reintegration into their country of origin.

If deportation is ordered, a meeting with the Migration Agency will take place to discuss the return. Applications for return and reintegration grants are filed with the Migration Agency. The Swedish Red Cross offers independent return counselling.

Identification document for asylum seekers (LMA card)

Registered asylum seekers are given an identification document, the LMA card (*Lagen om mottagande av asylsökande, LMA-kort*). This card serves as proof that the asylum seeker may reside in Sweden. It includes a photo as well as the case number of the asylum seeker. Initially, the LMA card is valid for four months; then it is extended automatically by another six months.

The LMA card entitles the asylum seeker to reduced fees for visits to the doctor and for many types of medication.

Entry in the Swedish population register

As soon as the asylum application has been granted and the person concerned has received a residence permit, he/she must be entered in the Swedish population register (*folkbokförd*). This registration is made by the tax authority (*skatteverket*). After registration, the person concerned is given the Swedish ID number (*personnummer*). This number is required, for example, to open a bank account, to work, to register with the social insurance and to receive regular health care.

Accommodation after re-entry

During the asylum procedure, asylum seekers are given accommodation and financial aid if they have no means of their own. They are placed in accommodation provided by the Migration Agency. This accommodation is either normal apartments that are shared with other asylum seekers or reception centres for asylum seekers. Most asylum seekers are placed in apartments.

The place of residence is al<mark>located</mark> by the Migration Agency depending on availability and cannot be chosen freely. During the asylum procedure, it may be necessary to move to other accommodation. Only asylum seekers who find and pay for their accommodation themselves may choose their place of residence freely.

Returned persons whose asylum procedure is continued or initiated after their return to Sweden are entitled to accommodation and financial aid.

If the asylum application has been rejected with final and binding effect and deportation has been ordered in the meantime, there is no entitlement to accommodation and financial aid. Only if the refugees are willing to leave the country voluntarily and return to their country of



origin will they be given accommodation and financial aid until their departure. They may then be placed in so-called transit centres.

Returned persons whose application for asylum was granted during their absence should contact the local authority responsible for them. The authority will arrange accommodation as well as the integration plan for recognised refugees. However, anyone who has left Sweden or the accommodation provided by the Migration Agency during the asylum procedure loses their entitlement to municipal accommodation. The persons concerned should contact the local social welfare office (socialtjänst).

Returned persons who have lost their entitlement to accommodation or whose asylum application was rejected run the risk of becoming homeless. This also concerns families with children.

Financial support for asylum seekers

During the asylum procedure, asylum seekers receive financial aid if they have no means of their own.

This aid is supposed to cover the daily food requirements as well as clothes, hygiene products, expenses for medicine and other basic requirements.

If the asylum seeker is placed in a reception centre where free meals are provided, he/she will receive financial aid that is correspondingly lower.

Moreover, the amounts depend on whether the person concerned is placed in accommodation on his/her own or shares an apartment with others. For example, single adults are given 24 SEK (€2.30) per day if they are staying in a reception centre or 71 SEK (€6.82) if they are staying in an apartment.

The financial aid is paid onto a bank card that can be used to pay in shops or withdraw cash at cash dispensers.

It is possible to apply for a special allowance for special needs such as glasses, baby products or winter coats.

The financial aid can be reduced, e.g. if someone does not cooperate with the Migration Agency.

The entitlement to financial aid ends if and when a final and binding deportation order is issued.

Some local social welfare offices at least support families with small children who have no other entitlement to support.

The financial aid for asylum seekers is considerably lower than the social assistance paid to Swedish citizens.

Access to health care

All asylum seekers are entitled to a free medical examination after their arrival in Sweden.

During the asylum procedure, asylum seekers are entitled to the necessary health care. This comprises medical and dental treatments in cases of emergency, prenatal care and assistance at birth as well as treatments that cannot wait.

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Refugees who are illegal residents in Sweden are only entitled to health care in case of emergency.

Adult refugees without children may lose their entitlement to health care if their deportation has been ordered with final and binding effect and they do not leave Sweden within 4 weeks.

Asylum seekers under the age of 18 are entitled to the same health care as children and adolescents residing in Sweden: medical treatments are free of charge for them in most regions in Sweden, dental treatments are free of charge for them all over the country.

Due to insufficient information on services and rights as well as language and cultural barriers, there are problems with access to health care. Moreover, the wording "treatments that cannot wait" can be interpreted differently by the health services. Depending on interpretation, treatments may be excluded.¹

The LMA card must be presented when visiting a doctor. If the asylum seeker has not yet received the LMA card, he/she can present the certificate confirming that he/she has applied for asylum.

Fees ranging from approx. 2 to 5 euro must be paid for visits to the doctor and medicine.

Persons enjoying international protection have access to health care just like all persons ordinarily resident in Sweden.

Information on health care in various languages: <a href="https://www.1177.se/en/Stockholm/other-languages/oth

Access to housing

Beneficiaries of protection who are placed in accommodation provided by the Migration Agency during the asylum procedure must leave that accommodation when they obtain their residence permit. They may stay in the accommodation provided until they have found a place of their own.

Normally, they are assigned to a municipality and offered an apartment there. This should be done within two months, but it often takes longer. If the asylum seeker rejects an apartment offered to him/her, he/she may lose the entitlement to accommodation and support by the Migration Agency.

Beneficiaries of protection who already live in their own place may stay there and do not have to move to a different location.

The obligation of the municipality to provide housing ends after two years. If the lease is terminated for this reason, persons granted protection must find a new place themselves. Anyone who cannot find housing should contact the local social welfare office.

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¹ Life in limbo. MSF's psychosocial support for asylum seekers in Sweden, Médecins Sans Frontieres, 2018, S. 21, https://lakareutangranser.se/sites/default/files/msf_report_life_in_limbo_web_eng.pdf, retrieved on 9/7/2019



Access to the labour market

Asylum seekers do not require a work permit to work in Sweden if certain conditions are met. This is the case when

- they are able to prove their identity and
- their asylum application is processed in Sweden.

"AT-UND" is noted on the LMA card if the card holder is released from obtaining a work permit.

Asylum seekers who have received a refusal of entry decision with immediate effect are not allowed to work.

Asylum seekers may contact the Swedish employment office *Arbetsförmedlingen* to get assistance in their job search.

If the person concerned has found a job, the financial support for asylum seekers is either reduced or stopped, depending on the income.

Rejected asylum seekers may apply for a work permit subject to certain conditions if they have a job offer.

Recognised refugees and refugees entitled to subsidiary protection have access to the labour market. If they have a job with a salary that covers the cost of living, they may apply for a permanent residence permit after expiry of their temporary residence permit.

After obtaining the residence permit and moving into their own home, a two-year integration plan begins for beneficiaries of protection between the age of 18 and 64. This plan comprises a range of activities regarding professional integration and training, language courses and courses on the Swedish society. The integration plan is organised by the Swedish employment office *Arbetsförmedlingen*.

Problems with labour market access are often due to a lack of language skills, lengthy procedures for the recognition of qualifications and the general situation in the labour market.

Access to social services

Persons granted international protection have access to social services on the same terms as Swedish citizens.

Beneficiaries of protection between the age of 18 and 64 who are able to work and take part in the integration plan receive special financial support for two years (etableringsinsatser).

Persons enjoying international protection are entitled to the Swedish basic pension when they reach retirement age.



Access to educational institutions

Children seeking asylum are entitled to school education in Sweden. This comprises attendance at preschool, primary school (9-year obligatory school) and secondary school (3-year grammar school). Attendance at secondary schools is only possible for children seeking asylum who have not yet reached the age of 18 when enrolling in school in Sweden.

The local authority at the place of residence is responsible for enrolment in regular schools.

As required, preparatory courses are offered to children and adolescents seeking asylum. In these courses, they are prepared for regular school attendance and given additional Swedish lessons. Preparatory courses run for two years at the most.

Children are also entitled to lessons in their mother tongue. To apply for this, the person concerned should contact the relevant school.

Beneficiaries of protection have access to all educational institutions if they meet the other entrance requirements, including language skills.

Access to language courses

Some NGOs offer Swedish courses for asylum seekers.

Recognised refugees who have received their residence permit are entitled to Swedish courses for immigrants (*SFI*) that are offered by the local authorities at their respective place of residence.

Information about on-line offers to learn Swedish on one's own is provided on this website: https://www.informationsverige.se/en/mer-om-sverige/lara-svenska/

Vulnerable groups

Among the vulnerable persons are especially children, women, disabled persons, older persons, persons with a severe physical or mental illness as well as persons who may be subject to persecution due to their sexual orientation or identity.

Vulnerable persons should be placed in appropriate accommodation. Protected accommodation is available especially for members of ethnic minorities, victims of torture and LGBTQI persons.

If there are special needs, e.g. if an interpreter or legal adviser of a certain sex is requested or if the person concerned does not wish to be placed in accommodation with persons of a certain sex, the person concerned should state this when registering with the Migration Agency.

Normally, no accelerated asylum procedure is carried out for vulnerable persons. To ensure that they have sufficient time to state their reasons for applying for asylum, the duration of the procedure is prolonged if necessary. Special medical requirements are reported to the health authority.



Minors

Unaccompanied minors are entitled to a guardian. The guardian is appointed as soon as they lodge their application for asylum. If the age determination reveals that the person concerned is not a minor, the guardian is withdrawn.

Unaccompanied minors are also entitled to a free legal adviser who will support them during the asylum procedure.

The social welfare office of the competent local authority will decide on appropriate accommodation.

Minors are entitled to medical care and school attendance.

Information for children going through the asylum procedure, provided by the Swedish Migration Agency:

https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Applying-for-asylum/Children-in-the-asylum-process.html





Annex: Where can I get advice and support?

Information material on Sweden for refugees in various languages:

"Protection and asylum in Sweden"– Swedish Migration Agency, information in 22 languages:

https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden.html

"Films for asylum seekers", video about the asylum procedure (in English, texts available in 7 other languages):

https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Film.html

"Good Advice for Asylum Seekers in Sweden", brochure published by the Swedish Network of Refugee Support Groups FARR, in Swedish, English, Spanish, Russian, Arabic, Farsi: https://www.farr.se/sv/in-english/good-advice

"Information on Sweden", information about Sweden for asylum seekers and refugees in 10 languages (Swedish, English, Somali, Spanish, French, Russian, Arabic, Dari, Persian, Tigrinya): https://www.informationsverige.se/sv

"For Igbtq persons – If you seek protection", information leaflet for LGBTQI persons, issued by the Swedish Migration Agency in Swedish, English, French, Spanish, Arabic, Persian: https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/For-Igbtq-persons.html

Contacts / local advisory services

Flyktinggruppernas Riksråd FARR (Swedish umbrella organisation for refugee initiatives)

Tel. +46 8 710 02 45 E-mail: <u>info@farr.se</u> www.farr.se

Provides information on the asylum procedure, gives names of lawyers and refers to local

initiatives

Addresses of local initiatives: https://www.farr.se/sv/in-english/good-advice

Caritas Sverige

Johannes Paulus II:s Pastoralcentrum Brunnsgränd 4 111 30 Stockholm Tel. +46 8 50 55 76 74

E-mail: caritas@caritas.se

www.caritas.se



Svenska Kyrkan (Swedish Protestant Lutheran church)

Tel. +46 18 16 95 00 E-mail <u>info@svenskakyrkan.se</u> <u>https://www.svenskakyrkan.se/kontakt</u> Contact the local parish

Legal advice

Asylrättscentrum (Swedish Refugee Advice Center)

Taptogatan 6 115 26 Stockholm

Advice over the telephone: +46 200 88 00 66 (Mon, Tue, Wed, 9-11 am)

Unaccompanied minors: +46 200 75 17 03 (Thurs 9-11 am)

Personal advice by appointment only

E-mail: <u>info@sweref.org</u> www.sweref.org

https://sweref.org/vilket-stod-kan-du-fa/

- Legal advice on asylum and family reunification
- Social counselling for asylum seekers and refugees

Svenska Röda Korset (Swedish Red Cross)

Hornsgatan 54, Stockholm Box 17563, 118 91 Stockholm

Tel. +46 771 19 95 00 E-mail: <u>info@redcross.se</u> <u>https://www.rodakorset.se</u>

If you have questions about the asylum procedure: 020-415 000 (freephone number, can only be called from Sweden, Tue, Wed, Thurs, 9.30 am to 12.00 noon)

- Information and legal advice on asylum and family reunification
- Search for family members
- Return counselling
- Medical help for irregular migrants

Sociala Missionen

Högbergsgatan 31A 116 20 Stockholm Tel. +46 8 556 023 00

E-mail info@socialamissionen.se

http://socialamissionen.se/

http://socialamissionen.se/rad-och-stod/migrationsfragor

Legal advice and psychosocial support in connection with asylum and family reunification



Health care and advice

Svenska Röda Korset (Swedish Red Cross)

Hornsgatan 54 118 91 Stockholm

E-mail: <u>info@redcross.se</u> Tel. +46 771 19 95 00

Medical care for persons who are illegal residents:

Tel. 020 211 000 (freephone number, can only be called from Sweden, Mon-Thurs 9.30-11.30

am)

SMS: 0709 40 67 23

E-mail: papperslos@redcross.se

https://www.rodakorset.se/en/get-help/care-for-undocumented-immigrants/

Läkare i Världen (Doctors of the World)

Hantverkargatan 2c 112 21 Stockholm Tel. +46 (0)8-664 66 87

E-mail: <u>info@lakareivarlden.se</u> https://lakareivarlden.se/fa-hjalp/

Apart from their headquarters in Stockholm, there are branch offices in other cities.

Advice for vulnerable groups

Save the Children Sweden

Address for visitors: Gustavslundsvägen 141, Bromma

Postal address: 107 88 Stockholm

E-mail: <u>kundservice@rb.se</u> <u>www.räddabarnen.se</u> Tel. +46 8 698 92 62

- Hotline for children, adolescents and parents in Swedish, English, Dari, Pashto and Arabic: 0200 778820 (freephone number, can only be called from Sweden)
- Offices in 11 cities offering different services: Malmö, Växjö, Gothenburg, Vänersborg, Karlstad, Norrköping, Stockholm, Borlänge, Östersund, Umeå and Luleå
- Children's centres in Malmö, Gothenburg and Stockholm: counselling and trauma treatment for children and parents

Terrafem

Kungsholmsgatan 8 112 27 Stockholm

E-mail: info@terrafem.org
Tel. +46 (0)20-52 10 10
http://terrafem.org/

Advice for women who are victims of violence

Hotline for women in 43 languages, legal advice, women's refuges



RFSL Newcomers

Network for LGBTQI refugees in Sweden, 17 groups in various cities

- Legal advice
- Contact with other LGBT asylum seekers
- Swedish courses
- Leisure activities

Contact:

https://www.rfsl.se/verksamhet/newcomers https://www.facebook.com/rfsl.forbundet

E-mail: newcomers@rfsl.se

Information on assistance in returning to the country of origin

Svenska Röda Korset (Swedish Red Cross)

Hornsgatan 54, Stockholm Box 17563, 118 91 Stockholm E-mail: info@redcross.se

Tel. +46 771 19 95 00

In addition, we refer to the addresses compiled on the website "Welcome to Europe", in short: W2EU. This network of activists and organisations from Europe and North Africa gathers independent information for migrants and refugees on various European countries and publishes it on the portal http://www.w2eu.info. Here you can find contacts in Sweden: http://w2eu.info/sweden.en/articles/sweden-contacts.en.html

Sources

- Migrationsverket (Swedish Migration Agency), Protection and asylum in Sweden: https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden.html
- Country Report: Sweden; aida Asylum Information Database, 2018 update; https://www.asylumineurope.org/reports/country/sweden
- Flyktinggruppernas Riksråd FARR (Swedish umbrella organisation for refugee initiatives), https://www.farr.se