First instance determination - Sweden

Overview of first instance procedures

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Relevant EU legislation

Sweden is bound by the recast Asylum Procedures Directive and has transposed their provisions through the Aliens Act (SFS 2005:716 with further amendments) | Utlänningslag (2005:716), 29 September 2005.

National legislation

Aliens Regulation (SFS 2006:97 with further amendments) | Utlänningsförordning (2006:97), 23 February 2006.

Aliens Act (SFS 2005:716 with further amendments) | Utlänningslag (2005:716), 29 September 2005.

Competent authority and other stakeholders

Swedish Migration Agency (SMA) | Migrationsverket

The Agency is a state-controlled organisation that acts independently and processes applications for international protection, including Dublin cases and cases falling under the Temporary Protection Directive. The SMA is also responsible for family reunification, resettlement, revocation, litigation of migration cases, returns (expulsions and voluntary repatriations) and detention.

In the asylum procedure, the SMA manages the registration of applications for international protection, photographs the applicants and collects their fingerprints for registers and necessary checks (Eurodac, AFIS, VIS, SIS), conducts

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identity verification and lodging. Within the Agency, the Unit for Biometrics and Document Verification is the central competence centre to verify documents on the identity of an individual (the unit is responsible for handling all reports to the police about forged or counterfeit documents identified by the SMA).

The SMA is also responsible for the reception of asylum seekers during the asylum procedure, including accommodation and the provision of financial and legal aid. The SMA provides interpretation and produces country of origin information, a list of safe countries and monitors the quality of the asylum procedure.

The operational activities of the SMA are organised into three geographical regions: North (Stockholm), West (Göteborg) and South (Malmö). With the aim to improve SMA services by increasing accessibility and presence around the country, visitors can get help in the following government offices which offer migration services: Malmö, Göteborg, Norrköping, Stockholm, Uppsala, Umeå, Gävle, Sundsvall and Boden.

Other actors

Security screening is performed by the police and the Swedish Security Service.

For the personal interview, a legal counsel/representative, interpreter and, in some cases, trusted person of choice (e.g. family member for an accompanied minor or for medical reasons) and UNHCR are permitted to attend. For an unaccompanied minor, the personal interview is conducted in the presence of a guardian and legal representative (mandatory).

Types of procedures and case processing

Sweden applies a tracks system to handle different types of cases. There are currently 5 tracks applied within the asylum procedure.

Track	Caseload
1	The applicant is presumed to be in need of international protection, so the risk of expulsion is considered low according to SMA legal position papers and jurisprudence.

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Track	Caseload
2	Cases that require more processing steps or more extensive investigation through interviews than the cases handled in Track 1. This could, for example, be due to the nature of the claim or the applicant has not submitted any identity documents or made his/her identity likely through the documents submitted.
3	Comprehensive investigation measures are identified and case processing will exceed 6 months due to its complexity. This could be due to the following circumstances: • the applicant cannot make their identity likely through submitted documents; • there is a need for language analysis; • there is a suspicion of false identity; • DNA tests are required; • orderly reception requires extensive investigative measures for an unaccompanied minor; • a medical age assessment is needed for an unaccompanied minor; • there are indications of human trafficking, honour-based violence or oppression; • a torture investigation is to be carried out; • exclusion grounds are raised; and • potential security risks may arise.
4	Accelerated processing:
4A	An application for asylum is considered to be potentially manifestly unfounded or the application was submitted by an EU citizen.

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Track	Caseload
4B	There is a presumption that the application will be rejected (i.e. cases involving foreigners seeking protection from countries with generally high rejection rates), thus rapid enforcement is possible and the matter does not require extensive processing steps. The nationalities concerned include countries with a recognition rate below 20%. The list is to be revised regularly.
5	Cases not examined on merits:
5A	Cases within the Dublin procedure.
5B	Applicants have been granted international protection by another EU country, Iceland, Liechtenstein, Norway or Switzerland.
5C	Applicants have been granted international protection in a state which is not an EU Member State nor Iceland, Liechtenstein, Norway or Switzerland and can be returned to a safe third country.

The Swedish track system rests on administrative practice rather than a specific legal basis.

Time limit for a decision and length of the procedure

The time limit to decide on an application for international protection within the regular procedure (Tracks 1 and 2) is 6 months from the registration of the application. However, if the case is complicated, it can be extended another 9 months.

For a special procedure, time limits to take a decision are:

- Admissibility procedure: 6 months from the lodging of the application.
- Accelerated procedure: 3 months from the lodging of the application. If a decision cannot be issued within 3 months, the case is managed in the regular procedure (6 months). If a decision on a manifestly unfounded case is not taken within 3 months, a decision to remove is not enforceable.

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Measures in place to enforce the legal time limit to process an application: When an application for international protection has not been concluded at the SMA within 6 months, the applicant can make a written request that a decision be made. The request can only be made once during an ongoing application. Within 4 weeks of the date on which the request was received, the SMA must either decide on the matter or reject the request in a separate decision. A rejection made in a separate decision may be appealed in the same forum in which the case belongs, i.e. the Migration Court.

This is a legislative change that affects all decision-making procedures of state authorities such as the Tax Authority, social benefits and the SMA. The change was made in 2017 and can be found in article/paragraph 12 in Förvaltningslagen, so the (general) Act on Administrative Law (SFS 2017:900).

Quality assurance of first instance procedures

After examining and assessing an application, the case officer prepares a draft decision which is submitted to a decision-making officer *(beslutsfattare)* for review.

The Digitalisation and Development Department monitors the asylum procedure (procedural aspects, including time limits). Process Specialists in the department are responsible for the procedural aspects of management, monitoring and development of the different sub-processes. The overall responsibility for the different processes lays with a network for operations management which is comprised of operational section managers from the SMA's three regions and Process Specialists.

Quality review/assessment of applications: In general, the Legal Department monitors the quality of the decisions issued by the SMA. This is done using a form for regular reviews of units and themes and at the national level.

For cases involving children, the checklist for the assessment of the best interests of the child is attached to the applicant's file.

Interinstitutional cooperation

The SMA's litigation units represent the SMA in court when an individual appeals a decision made by the SMA. The units have bi-annual meetings with the four

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migration courts to coordinate the case flow between the two institutions as all appeals are submitted to the SMA and then handed over to the migration court. Some litigation units also have monthly, lower-level, coordination meetings with the migration court within their area of responsibility.

At the national level, the SMA and the Swedish National Courts Administration, which coordinates the work of the courts, collaborate on interoperability solutions, data-sharing and national procedures. This is done through a yearly, high-level meeting, as well as quarterly, working-level meetings. The SMA and the Swedish National Courts Administration have jointly developed an interoperability solution that allows data and documents to be transferred directly between the two authorities to facilitate the appeals process and proceedings.

Regular asylum procedure at first instance

Legal basis

Aliens Regulation (SFS 2006:97 with further amendments), Utlänningsförordning (2006:97), 23 February 2006.

Aliens Act (SFS 2005:716 with further amendments), Utlänningslag (2005:716), 29 September 2005.

Competent authority and stakeholders

The Swedish Migration Agency (SMA) | Migrationsverket is the competent authority for the regular asylum procedure at first instance.

Personal interview

Interviews are carried out with each individual applying for international protection. Accompanied minors have the right to speak to the case officer as the child may have different grounds for asylum than the parents. The child and parents are informed that this is a possibility and a right of the child to be heard, but that it is not an obligation.

Assessment of an application

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Each application for international protection is registered during in-person meeting at the SMA's application unit. At the meeting, a shorter interview is held. The interview aims to gather information on the applicant, their family, health, needs and any vulnerabilities. Information on the asylum procedure is also given to the applicant. The applicant is provided the opportunity to submit documents related to their claim, including identity documents. The applicants' fingerprints and photo are registered. Initial checks in EU-wide systems are carried out.

An initial assessment of the case is carried out to assign the case to a specific track.

A case officer is assigned to each case and the necessary investigation steps are carried out, such as a personal interview is held with the applicant, COI information is considered and any evidence submitted is assessed.

Scope and outcomes of a decision

The decision's scope is to grant or reject international protection. Thus, there are different possible outcomes:

- Granting of refugee or subsidiary protection status (a temporary residence permit will be issued according to the status granted);
- A temporary residence permit is granted due to exceptionally/particularly distressing circumstances; or
- The application isdenied.

Time limit for a decision is 6 months.

Withdrawal of an application

Competent authority to withdraw an application

The Swedish Migration Agency (SMA) | Migrationsverket is the competent authority for application withdrawals.

Implicit withdrawal

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An application is considered implicitly withdrawn based on a refusal to cooperate, for example when the applicant is absent at the personal interview (or other procedural act) without a valid reason. Sweden does not apply any specific time limits to assess how much time must pass before it is reasonable to consider that the person has implicitly withdrawn/abandoned the application . A formal decision of discontinuation is issued for an implicit withdrawal / abandonment (decision on refusal of entry or expulsion). The application can be reopened and there are no time limits or other onditions for this.

An appeal against a decision to discontinue the examination due to an implicit withdrawal: The legal basis is article 28.1 b in the EU Asylum Procedures Directive, which is transposed into Swedish law in Chapter 13, paragraph 19 in the Aliens Act. A competent appeal is handled by the Migration Court (there are four, and all are a court within an administrative court). The time limit is the usual 3 weeks and the procedure follows the usual appeal procedure.

In practice an appeal may be successful only if the reason for the negative decision is based on the applicant not keeping an updated address and the applicant successfully manages to make it plausible that indeed he/she made true attempts to keep an updated address (in private accommodation, which is the most common type). The law per se does not stipulate a time limit and there is a possibility for an onward appeal to the Migration Court of Appeal.

Explicit withdrawal

To explicitly withdraw an application, the applicant is interviewed about the reason for wanting to withdraw and to ensure that the applicant understands the consequences of a withdrawal, all signed by two staff members with interpreter. Two documents are then kept in the (digital) file: the special note on the reason/s for withdrawal and the withdrawal itself.

Once an applicant has withdrawn the application, the SMA will discontinue the examination. A formal decision on refusal of entry or expulsion is normally taken. The decision is attached to the applicant’s file. The application may be reopened, but special circumstances would have to be looked into.

Appeal against a decision to discontinue the examination due to an explicit withdrawal: An explicitly withdrawn application can be appealed like any other decision on an expulsion from the country.

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Personal interview

Competent authority: Interviewers

The Swedish Migration Agency (SMA) | Migrationsverket is the competent authority to interview applicants for international protection. There are asylum units in all of the SMA's three geographical regions.

The case officer making the assessment is usually the same as the one who conducted the personal interview, but to ensure efficient case handling, sometimes a case will switch case officers.

One formal selection criteria to become a case officer is a university diploma in the field of law, political science, behavioural science or relevant knowledge acquired otherwise (e.g. earlier relevant work experience). Another criteria is a good knowledge of written and spoken Swedish and English. Personal suitability is also of significant value.

There is a compulsory general introduction programme for all new employees. Every newly employed case officer receives training on interviewing vulnerable persons (especially, in relation to women and LGBTIQ applicants), which is based on EUAA training modules.

Special procedural guarantees during the interview

All applicants are interviewed, including applicants with special needs, accompanied and unaccompanied minors.

Accompanied minors have the right to speak to the case officer as the child may have different grounds for asylum than the parents. The child and parents are informed that this is a possibility and a right of the child to be heard, but that it is not an obligation. All children old enough to express themselves can be interviewed. The will and maturity of the child and other circumstances are taken into account when assessing if an interview should be held. The parents are allowed to be present during the interview with the child. In most cases, parents do not oppose the case officer speaking to the child. When a child expresses the wish to be heard but the parent opposes, the SMA must investigate the reasons for limiting the child's rights.

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When interviewing unaccompanied minors, the presence of the legal adviser/representative or guardian is mandatory.

Victims of trafficking or other forms of violence: Case officers and other staff who come into contact with applicants receive training on identifying and interviewing vulnerable persons. Case officers have access to case management support and standard operating procedures for victims of trafficking and other forms of violence. There are designated regional and national contact persons within the SMA to whom the case officer can turn for support in these areas. For applicants who have experienced violence, the case officer adopts tailored interviewing techniques and ensures procedural guarantees, such as taking extra breaks, introducing more questions about a sensitive subject and informs the applicant of their rights and options.

Applicants with disabilities or other health issues: From the first meeting which is held with the applicant and every meeting thereafter, the SMA investigates if the applicant suffers from any disabilities and is encouraged to inform the SMA about any issue to be able to receive the right medical help, adapted accommodation, procedural guarantees, etc. Applicants with disabilities can as any applicant be accompanied for their interview by a person of their choice for support physically or mentally.

Possibility to omit the personal interview

As a general rule, personal interviews are always held since this is a legal requirement for applications for international protection. For first-time applications, there are only two possible exceptions in which the SMA may decide to omit the personal interview:

- when it is not possible to hold a personal interview due to the applicant’s personal circumstances, such as health, disabilities or the applicant is of such a young age that they cannot express themselves. For children in families, an assessment is made based on their age and maturity, and, if an interview/conversation on the child’s situation is deemed to be possible to hold, the child and/or parents are asked if the child is willing to have a conversation with the case officer. If the child declines, no interview is held as it for children is a possibility and not a requirement.
- when there is no need to hear the applicant to grant protection and refugee status. For example, in cases where nothing in the decision goes against the applicant. However, as the interview also has the purpose of examining

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possible grounds for vulnerabilities, exclusion and to provide the applicant with information, an interview will still be held in these cases, unless there is some combination with the personal circumstances mentioned above. This is regulated in the Aliens Act (2005:716 with further amendments) | Utlänningslag (2005:716), Chapter 13, paragraph 1.

These exceptions do not apply when the SMA is handling residence extension determination, determination of resettlement cases or cases of temporary protection or the Dublin III Regulation.

Positive decision	No
Previous meeting - essential information	Yes (according to the law)
Issues raised are not relevant or of minimal relevance	No
Safe country of origin	No
Safe third countries	No
Inconsistent, contradictory, improbable, insufficient representations	No
Subsequent application	Yes (final decision is in force for 4 years and if the subsequent application is lodged with no new elements, the case is considered as inadmissible by the Litigation Department), according to the law.
Application to merely delay/frustrate enforcement	Yes (written statements are being taken into account by the Litigation Department), according to the law.

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Not reasonably practical to conduct it	No
Applicant unfit or unable to be interviewed	Yes (when an applicant due to medical reasons is not able, even with special arrangements, to make his/her claim orally)

Organisational aspects

Preparation and timing of the interview

Prior to the asylum interview, a short initial interview is conducted during the registration of the asylum seeker (called application/registration interview). This interview provides an idea about the grounds for the application, if the asylum seeker has any special needs and if she/he has any identification document. After this interview, the case is classified into a predetermined track based on its characteristics.

Normally within a few weeks, the SMA also conducts one personal interview, and if needed, one or more follow-up interviews.

Information provision (before the personal interview)

At the application/registration interview or in the following days, SMA personnel provide the applicant with a letter of summons including the date, time and location for the personal interview, information on the attendance of a public counsel and an interpreter, and a contact number to the case officer if the applicant has questions. The letter also states the consequences of not adhering to the summons (i.e. reducing the daily allowance).

If the letter is not given to the applicant in hand, the letter will be sent to the applicant’s postal address. For this reason, the applicant is obliged to keep the SMA informed about any changes in their home address. The letter of summons for the interview is also forwarded to the applicant's public counsel. For unaccompanied minors, the letter of summons is communicated to the representatives. In urgent cases (e.g. if the time of the interview has been changed with short notice), the applicant may be contacted over the phone.

During the application/registration interview the applicant receives both written and oral information on the obligation to cooperate with the authorities and

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disclose the truth, the asylum interview and its purpose, and the obligation to provide all information/evidence needed to substantiate the grounds of the application.

At the beginning of the asylum interview, the applicant also receives comprehensive information through an interpreter in the language of the applicant's choice on her/his rights and obligations during the interview, including the obligation to provide all information/evidence needed to substantiate the grounds of the application, the obligation to cooperate with the authorities disclosing the truth, her/his right to be assisted by an interpreter during the interview, his/her right to notify the official conducting the interview at any time if she/he does not understand the interpreter clearly as well as the confidentiality of the information provided during the interview.

There is information on the interview and asylum process on the SMA's website. Special brochures tailored to the needs of children and LGBTIQ applicants are also made available.

The appointed public counsel and at times NGOs provide applicants with information on the interview process.

Modalities of carrying out the interview

Case officers working in the Asylum Unit meet the applicant face to face. Interviews are held in the SMA's offices for safety and confidentiality reasons. Interviews can be also conducted by videoconference through a secured system provided by the SMA and only on location at the SMA's offices. This is used when the applicant is accommodated far from the office of the case officer and to avoid the time, effort and cost of the applicant having to travel far. Before using videoconferencing for the personal interview, the case must be considered suitable for this and the needs of the applicant should be considered. It may not be suitable for a traumatised applicant or an applicant with hearing or sight disabilities.

If the applicant is in detention, the personal interview can be conducted in a detention centre.

To ensure confidentiality, each room is usually soundproof so that no one outside the room can overhear what the applicant is saying. There are also computers so that the interviewer can take notes and phones/loudspeakers for interpreters, if for some reason, an interpreter cannot attend in person.

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Choice of gender of the interviewer/interpreter

At the application/registration interview, the applicant is asked about a preference regarding the gender of the interviewer and interpreter for the asylum interview. The SMA is not legally bound to provide this request but does its best to accommodate these requests.

In Sweden it is prohibited to register a person's ethnicity or religion, so a situation may arise where the assigned interpreter is of an ethnicity or religion that may be aligned with or be perceived to oppose that of the applicant. There is a requirement that the interpreters must remain objective and maintain a high level of professionalism. If the applicant does not voice concerns about the interpreter, a lack of trust may result in the applicant not mentioning all his/her claims for the need of protection. Case officers therefore pay attention to any indication of lack of trust between the applicant and interpreter, and at the end of the interview the applicant is always asked about the quality of the interpretation.

Objecting to the interviewer/interpreter

In general, an applicant cannot bring his/her own interpreter. If an applicant refuses to conduct the interview in the language determined, the applicant is asked for a reason for the refusal. If there are no relevant reasons, the applicant is informed about the consequences of refusing to conduct the interview. If the applicant states that they have difficulties in communicating in a given language, the interview may be discontinued and the next one is scheduled with interpretation in another language.

Language and interpretation

Interviews take place in the language that an applicant indicates as their mother language or another language they have stated to speak. Free interpretation is provided by the SMA (through a contract with a translation agency). Interpreters are engaged for every individual case, regardless of whether the case officers possess adequate proficiency in the asylum seeker's language.

Interpreters are legally sworn or certified by the Legal, Financial and Administrative Services Agency *(Kammarkollegiet)*. If a professional interpreter is not available for the language preferred by an applicant (for example Sweden has a shortage of interpreters in African tribal languages or dialects), the SMA conducts the interview in another language after discussing with the applicant

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about other languages they speak.

The SMA does not provide education programmes for the interpreters, who are trained by interpreter agencies. However, the SMA runs a project "Interpret me right", which is co-funded by the European Refugee Fund, to raise the standard of the interviews. To this end, thematic seminars of common (and sensitive) words for interpreters, for example, are organised.

Usually all participants are situated in the same room. During interviews conducted through video, the interpreter is usually seated with the applicant. In a few cases, the interpreter may be seated with the case officer or in a separate room due to a geographical shortage of interpreters in a specific language or dialect.

People present during the interview

People present during the interview may include:

- Public counsel/legal representative (always present if one is appointed), who may make observations and ask questions during the interview. The applicant can request to be appointed a specific public counsel. The request is usually met as long as the requested counsel meets the suitability requirements, even if the public counsel operates in a distant location or he/she is not available at the preferred time of the SMA for an interview.
- Interpreter, if required;
- Public counsel and guardian of an unaccompanied minor (always present). If needed, an adult can on the request of the accompanied minor also be present for comfort or for medical reasons.
- An adult applicant may bring a person of choice, usually a family member, a friend or a representative from an NGO. The SMA usually informs the applicant that the presence of the person does not affect the requirement for the applicant to speak openly and honestly of the claims for protection and the confidentiality of what is said cannot be ensured by the SMA regarding this person. The person is required to remain silent while supporting the applicant by their presence (the person can be excluded from their interview if they disturb the process although this occurs rarely);
- UNHCR (although rarely), upon the applicant's request.
- SMA trainees who attend in the capacity of an observer.

In practice, most often there is only an interpreter and the applicant's public counsel/legal representative present.

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Structure/steps of the interview

In preparation for the interview, the case officer reviews the submissions, such as identification documents, evidence and statements made during the application interview like the ground for seeking protection. The case officer has access to internal COI reports and country-specific policy guidelines. He/she may also request COI-related information on an ad hoc basis (at any stage of the asylum procedure). The case officer prepares a protocol with topics which will be addressed during the interview.

Interviews are on average 3 hours and usually one interview is enough to acquire the required information from the applicant. Breaks may be taken during the interview at the request of the applicant or the interpreter, at the discretion of the interviewer, or at regular intervals.

The SMA has a standardised template for the asylum interview, but it does not contain many pre-filled questions as the idea is that the case officer should prepare questions based on the specific case. Interview sections include:

- An introduction, which aims to provide information on the personal interview; record the applicant's personal details; confirm that the applicant understands the interpreter; inform the applicant of their duty to provide the SMA with information explaining the reasons for seeking international protection; and inform the applicant that a granted permit can be withdrawn if the SMA finds that the case was not presented truthfully.
- The main part of the interview follows a free questioning format with some obligatory questions, e.g. grounds for protection, ID, health issues, risk of *refoulement* and in some cases the travel route if there is any doubt or relevant for the case at hand (the idea is that the applicant should elaborate freely on, for instance, the grounds for seeking protection).
- A conclusion, which aims to reassure whether the applicant understood the interpreter during the entire interview; invite the applicant to add anything; and inform the applicant about the next steps in the procedure and the possibility to submit further evidence.

A follow-up interview is possible if:

- the time set for the first interview was not sufficient to receive the required information from the applicant;
- the quality of the interpretation during the first interview was inadequate;

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- the legal counsel or the applicant declares that there are new circumstances to inform the SMA;
- the SMA has been presented with COI that contradicts what was said by the applicant.

Such follow-ups differ from the personal interview in scope and length.

There is a preference to provide guidelines or standards to case officers on conducting interviews that do not state what questions the case officer should ask the applicant but rather methods on how to ask about certain topics and which areas are relevant to ask questions about.

If the personal interview is omitted, the reason should be included in the decision as well as in the applicant's file.

Unaccompanied minors cannot be interviewed without the presence of a public counsel/legal representative and a guardian appointed by the municipality (by the chief guardian’s office) where the child resides. There is a representation appointed for unaccompanied minors who are married.

Audio/video recording and written report

A verbatim written transcript by the case officer is produced for each interview. There are templates for the transcripts.

If the applicant has no public counsel/legal representative, the interview transcript is read out word by word to the applicant at the end of the personal interview. The applicant can make comments or provide clarifications at that point. If the applicant was provided legal assistance, the interview transcript is usually sent to the public counsel in order to be read out to the applicant by the public counsel. Public counsels are generally supposed to send comments or clarifications to the SMA and case officer within 2 weeks. If the applicant refuses to approve the report, providing he/she has good reasons for it, a new interview can be conducted if the applicant or the public counsel believes that the report does not capture the information of the applicant correctly.

Postponing the personal interview

The SMA may postpone the interview if circumstances arise which hinder the fulfilment of the legal requirements for the interview to be conducted, for example in case of illness or other circumstances.

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Failure to appear

If the applicant fails to appear for the personal interview without a valid reason before or close to the time set for the interview, financial allowances may be reduced. The applicant is informed about these consequences at the time of the application and in the written letter of summons. After the failure to appear, the SMA will try to summon the applicant a few more times. If the applicant still does not appear and has no valid reason for the omission, the application is discontinued. If the applicant appears after the procedure has been discontinued, he/she can re-apply for protection.

Other aspects

An follow-up interview is possible if:

- the time set for the first interview was not sufficient to receive the required information from the applicant;
- the quality of the interpretation during the first interview was inadequate;
- the legal counsel or the applicant declares that there are new circumstances to inform the SMA;
- the SMA has been presented with COI that contradicts what was said by the applicant.

Such follow-ups differ from the personal interview in scope and length.

Special asylum procedures at first instance

Admissibility procedure

Chapter 5, Section 1b of the Aliens Act (2005:716 and further amendments).

The concept of an admissibility procedure is not used in law. All cases are *de facto* admitted to be tried in the procedure. No case is inadmissible per se and each applicant has two interviews. The decision may be that the case should not be admitted to the regular asylum procedure, which is based on the content of the case and not the formality of it.

Grounds:

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- Dublin cases (application may be dismissed with immediate enforcement);
- First country of asylum;
- A concept similar to the safe third country concept (with additional safeguards if there are close family ties or other special ties in Sweden (Track 5C);
- International protection in another Member State (Track 5B).

Competent authority and other stakeholders

The Swedish Migration Agency (SMA) | Migrationsverket is the competent authority for special asylum procedures at first instance.

Procedural aspects

The principle of free evidence assessment is used, therefore all presented evidence is taken into account.

Applicants have the right to remain in Sweden during the assessment of their application.

A personal interview on admissibility takes place except for subsequent applications.

An asylum seeker is provided help if there is a disability and the applicant has difficulty to communicate with the SMA when applying for asylum.

Unaccompanied minors have the right to special support. The child is assigned a guardian who speaks for the child when the parents are not able to do so. The child also has the right to this support even if he/she comes to Sweden with an adult who is not the parent. The SMA also appoints every asylum-seeking child a public council/legal representative.

According to law, the SMA must specifically consider a child’s best interests. All children have the right to have their say and be listened to. Their reasons for seeking asylum must be examined individually, as a child may have other reasons for seeking asylum than the parents. When the child’s reasons for seeking asylum are examined, the SMA official must adapt the examination as much as possible to the child’s age, health and maturity.

Decision and time limits to decide

Sweden does not issue a formal decision on admissibility. The standard 6-month time limit applies.

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Appeal

The standard time limit of 3 weeks applies.

Impact on reception conditions

All applicants receive basic reception guarantees and are placed in SMA accommodation.

Accelerated procedure

Legal basis and grounds

There is no specific reference to the accelerated procedure in law, but a specific procedure with shorter time limits is used in the following cases:

- Clearly unfounded applications (applicant invokes reasons unrelated to grounds for international protection or lacks reliability);
- Nationals of countries with generally high rejection rates;
- Subsequent application submitted while there is a valid extradition decision.

Competent authority and other stakeholders

The Swedish Migration Agency (SMA) | Migrationsverket is the authority responsible for the accelerated procedure.

Procedural aspects

The law does not refer to an accelerated procedure. However, there is a legal basis for handling manifestly unfounded claims in an accelerated procedure. The SMA can issue an enforceable return order, which is not suspended pending appeal, if it is obvious that there are no grounds for asylum and that a residence permit is not to be granted on any other grounds.

In practical terms, the SMA has established a dedicated track for two categories of cases: manifestly unfounded claims (Track 4A) and claims from nationalities with a recognition rate below 20% (Track 4B).

In majority of cases, the decision to accelerate an application is taken in the initial phase of the procedure by the case officer. It can also be decided later on during the asylum procedure. In some family reunification cases and when humanitarian issues arise, the application may be exempted from the

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accelerated procedure.

An automatic suspensive effect does not apply for an appeal of a decision in the accelerated procedure and a respective removal decision. The right to remain on the territory pending the appeal can be granted by the Migration Court of Appeal (i.e. if the appeal is likely to be successful). For unaccompanied minors, a removal decision may never be enforced before 1 week has passed from the notification of the decision.

A personal interview cannot be omitted (the legal representative is however not present).

Vulnerable applicants may be exempted from the possible application of the accelerated procedure.

Unaccompanied minors have the right to special support. The child is assigned a guardian who speaks for the child when the parents are not able to do so. A child also has the right to this support when they arrive in Sweden with an adult who is not the parent. The SMA appoints every asylum-seeking child a public counsel/legal representative. According to law, the SMA must specifically consider a child’s best interests. All children have the right to have their say and be listened to. Their reasons for seeking asylum are to be examined individually, as a child may have other reasons for seeking asylum than the parents. When the child’s reasons for seeking asylum are examined, the SMA official must adapt the examination as much as possible to the child’s age, health and maturity.

In the accelerated procedure, normally there is no need for assistance from a public counsel and therefore one is not appointed. However, unaccompanied children should always be entitled to a public counsel during the entire accelerated procedure.

Decision and time limits to decide

Sweden does not issue a formal decision in an accelerated procedure. A decisions in the accelerated procedure can however be raised when the asylum decision is taken.

When the decision is taken under the accelerated procedure, the SMA must decide within 3 months after the application was lodged. If a decision cannot be issued within 3 months, the case is dealt with in the regular procedure (if a decision on a manifestly unfounded case is not taken within 3 months, decision to remove is not enforceable).

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Appeal

No impact on the appeal procedure, the standard time limit of 3 weeks applies.

Impact on reception conditions

The SMA’s decision to accelerate the application has no impact on reception conditions.

Border procedure

Legal basis and grounds

Border procedure is not applicable in Sweden.

If an application for international protection is submitted at the border, the applicant will be taken to the closest office of the SMA to register his/her application. There it will also be decided where the applicant will be accommodated.

Competent authority and other stakeholders

Border procedure is not applicable in Sweden.

Procedural aspects

Border procedure is not applicable in Sweden.

Decision and time limits to decide

Border procedure is not applicable in Sweden.

Appeal

Border procedure is not applicable in Sweden.

Impact on reception conditions

Border procedure is not applicable in Sweden.

Subsequent application procedure

Legal basis and grounds

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Chapter 12 Sections 18 and 19 of the Aliens Act (2005:716 with further amendments) Subsequent application procedure applies when there is new asylum claims (e.g. new medical reasons or reasons envisaged in art. 8 ECHR) or after a negative decision, when impediments to enforcements are claimed.

Competent authority and other stakeholders

The Swedish Migration Agency (SMA) | Migrationsverket is the authority responsible for the subsequent application procedure.

Procedural aspects

The Swedish law does not make an expressive reference to "subsequent application". Once a decision on an asylum application is taken, it remains valid for four years. A former applicant who has received an expulsion order can instead claim that an "impediment to enforcing the expulsion order" exists. The SMA will then look at this claim and examine whether a new decision should be taken.

The circumstances should also present an obstacle for the person in question to return (humanitarian grounds or practical obstacles to removal occur). They can then, depending on what they claim, be granted a permit or be granted a re-examination of their application.

Subsequent applications (registered impediments to enforcement) are considered within the regular procedure. The SMA undertakes a preliminary examination. If the invoked new circumstances can be assumed to constitute a lasting impediment to enforcement, the applicant will be granted a residence permits on humanitarian grounds or due to practical obstacles to removal, or his/her case will be re-examined. If the invoked circumstances for the subsequent application are obviously unfounded, the SMA issues a decision as soon as possible. Previous applications, however, will not affect the assessment.

Preliminary examination: All elements are considered within the preliminary examination of the subsequent application according to the principle of free assessment of evidence. These elements must be new ones that have not been previously assessed. If the new elements were known to the applicant earlier in the asylum process, he/she must explain why they were not invoked before.

When an application according to 12:19 is made, it is quickly decided if a new case indeed should be opened (a re-examination in light of the new circumstances) – and this triggers that the existing decision to expel (and the

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finding no need of international protection) is immediately rendered not enforceable (‘inhibition’ in Swedish).

Likewise, if its more for example a medical case and handled under 12:18 Aliens act, there may be an interim decision that the decision to expel may not be enforced.

For subsequent applications, which has not previously been tried in court, there is a right to remain.

If in the subsequent application, an applicant invokes non-protection grounds (i.e. family reunification, practical or medical reasons), he/she normally does not have the right to remain in the country. In certain cases, the invoked circumstances may be deemed serious enough (e.g. very sick child) for the SMA to suspend the enforcement of the return decision. Although the applicant normally does not have the right to remain in the country, the Migration Agency aims at issuing a decision before any scheduled departure. An applicant who invokes protection grounds, always has the right to remain until a decision is issued.

If the subsequent application due to protection grounds is denied (and a re-examination is not granted), previous applications will affect the right to remain in the process that follows.

If a re-examination is decided to take place, there will be a personal interview and the applicant may ask to have public counsel for the procedure including during an appeal.

The return decision may not be enforced during the re-examination procedure and up until a possible appeal has been made and also decided by the court.

If a disability makes it difficult for the asylum seeker to communicate with the Migration Agency when applying for asylum, he or she is entitled to help.

If granted a re-examination of the application the child is entitled to a public counsel. According to Swedish law the SMA must specifically consider a child’s best interests. All children have the right to have their say and be listened to. When the child’s reasons for seeking asylum are examined, the SMA official must adapt the examination as much as possible to the child’s age, health, and maturity.

Decision and time limits to decide

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Formal decisions are taken. The decisions can be appealed. There is no time limit, but this type of case should be dealt with expeditiously.

Appeal

A subsequent procedure does not have an impact in the appeal procedure, the standard time-limit of 21 days applies. If the subsequent application is found inadmissible, the SMA’s decision may be appealed to the Migration Court within three weeks.

Impact on reception conditions

If the applicant submits a subsequent application due to non-protection grounds (i.e. family reunification, practical or medical reasons), the applicant is not entitled to receive reception conditions. However, if the Migration Agency suspends the enforcement of return decision, the applicant may still have a right to reception conditions (an applicant may not have the right to housing though).

If protection grounds are invoked when submitting subsequent application, the process is twofold. The applicant is not entitled to receive reception conditions when he/she submits the application. However, if the invoked new circumstances can be assumed to constitute a lasting impediment to enforcement, the applicant will be granted a re-examination. In that case, the applicant will be entitled to receive reception conditions.

Last-minute application pending removal

A former asylum seeker who has received an expulsion order can claim that an impediment to enforcing the expulsion order exists. These claims can be made at any time after the final decision has entered into force. The SMA will then look at this claim and examine whether a new decision should be taken or even it is admissible. It must contain new circumstances that have not come to light in the previous asylum examination or there should be a good reason for the applicant not to present them earlier. The circumstances should present an obstacle for the person in question to return. They can then, depending on what they claim, be granted a permit or be granted a re-examination of their application.

Last-minute applications lodged by first time applicants pending a removal

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An application for international protection will be tried in accordance with the process set out. For applicants in detention, an accelerated procedure is adopted.

Last-minute applications lodged as subsequent applications pending a removal

Last-minute applications are also precisely subsequent applications. There is no limit of how many such applications may be lodged or time limit on when.

Occurrence: A former asylum seeker who has received an expulsion order can instead claim that an impediment to enforcing the expulsion order exists. These claims can be made at any time after the final decision has entered into force.

Type of procedure: There is a fast track within the SMA for all last-minute applications. It also applies to second instances.

Practical aspects and consequences: A former asylum seeker who has received an expulsion order which has entered into force can instead claim that an impediment to enforcing the expulsion order exists. The SMA will then look at this claim and examine whether a new decision should be taken or even it is admissible. It must contain new circumstances that have not come to light in the previous asylum examination or there should be a good reason for the applicant not to present them earlier. The circumstances should present an obstacle for the person in question to return. They can then, depending on what they claim, be granted a permit or be granted a re-examination of their application.

Communication between asylum- return authority: The SMA and police (return authority) share information. The Police has restricted access to the SMA database. The police have access to asylum decisions. There is no access to second and third instance IT-systems. The asylum negative decision is always combined with an expulsion decision, if there is no other reason to grant a resident permit.

Safe country concept

Safe country of origin

The concept of a safe country of origin is defined in the Aliens Act. It is applied in practice through a specific procedural track (Track 4B). The procedure to establish a list follows from the Legal Position on deportation with immediate

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enforcement to the country of origin including safe countries of origin (RS/071/2021).

The law was changed allowing the government to give the responsibility of establishing a list to the SMA (Chapter 4 kap. 2 a § in the Alien Regulation (Utlänningsförordningen), SFS 2006:97). In practice, the SMA is the expert agency and liaises with government agencies or ministries were applicable on this particular issue. Thus, the SMA proposes a list of safe countries of origin, and its Director–General adopts it.

National list of safe countries of origin:

1. Albania
2. Bosnia and Herzegovina
3. Chile
4. Kosovo
5. Mongolia
6. North Macedonia
7. Serbia

The list was adopted for the first time by Decision of the Director-General on 24 May 2021 (MIGRFS 2021:4). In March 2021, Sweden approved the inclusion of the safe country of origin regulations in the Aliens Act. The new regulation follows a CJEU ruling (*A.* v *Migrationsverket*, 2018) in which the court stated that Sweden must take the rules on safe countries of origin into consideration when assessing an asylum application, and the SMA could consider an asylum application to be manifestly unfounded if the applicant comes from a country included in the list, unless the claim is founded on serious grounds. If the residence permit cannot be granted on other grounds, the SMA may decide to order an expulsion.

In May 2021, the SMA published a decision on the method and criteria for assessing and identifying a safe country of origin, including an assessment of the countries included on the list (RA 128/2021). Additionally, the SMA adopted a legal position that presents the methods for case officers in the decision-making process in relation to safe countries of origins (RA/071/2021). The list of safe countries included an updated methodology for deciding what countries may be put on the list and for each such country there are reasons given.

The concept of safe countries of origin is defined negatively in such a way that, in general and across the board, persecution does not occur in the country. The assessment for each individual country is made primarily on the basis of relevant

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and up-to-date country information. The reason for including each individual country on the list is thus based on an overall assessment that the available information does not indicate that the country does not meet the criteria for a safe country of origin and that the country otherwise meets the requirements for a safe country of origin. The country reports/country information memoranda indicate which other EU countries have included the country in question in a list of safe countries of origin. The reports/memoranda also take into account country information from the EUAA.

The country information taken for this consists mainly of open sources available to the SMA in the country of information system, Lifos.

The list is regularly reviewed and accordingly updated, e.g. if the human rights situation in the country changes for the worse or there is an external or internal armed conflict.

Safe third country

There is no legal provision on the designation of a national list of safe third countries. Without defining a safe third country concept, Chapter 5, Section 1b(3) provides that an application may be rejected as inadmissible if the applicant can be returned to a country where he/she:

- Does not risk being subjected to persecution;
- Does not risk suffering the death penalty or being subjected to corporal punishment, torture or other inhuman or degrading treatment or punishment;
- Is protected against being sent on to a country where he/she does not have equivalent protection;
- Can apply for protection as a refugee; and
- Has such ties to the country that it is reasonable for him/her to travel there.

However, in such cases, an application may not be dismissed if:

- The applicant has a spouse, a child or a parent residing in Sweden and the applicant does not have equally close family ties to the country to which a refusal of entry or expulsion order may be enforced; or
- The applicant, because of a previous extended stay in Sweden with a residence permit or right of residence, has acquired special ties to the country and lacks such ties or ties through relatives to the country to which a refusal of entry or expulsion order may be enforced.

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First country of asylum

The concept of a first country of asylum is defined in the Aliens Act. The concept is applied in practice through an admissibility procedure.

A country may be considered to be a first country of asylum for an applicant provided that he/she will be re-admitted to that country, if the applicant has been recognised as a refugee or equivalent protection there and can still receive that protection or other effective protection in that country, including benefiting from the principle of *non-refoulement*.

However, in such cases, an application may not be dismissed if:

- The applicant has a spouse, a child or a parent residing in Sweden and the applicant does not have equally close family ties to the country to which a refusal of entry or expulsion order may be enforced; or
- The applicant, because of a previous extended stay in Sweden with a residence permit or right of residence, has acquired special ties to the country and lacks such ties or ties through relatives to the country to which a refusal of entry or expulsion order may be enforced.

European safe third country

The concept of a European third country is not defined in law.

Assessment of an application at first instance

Legal provisions relevant for an assessment

Aliens Act (SFS 2005:716 with further amendments) | Utlänningslag (2005:716)

Competent authority for the assessment

The case officer making the assessment and drafting a decision is normally the same as the one who conducts the personal interview. For logistical reasons, a case can be handed from one case officer to another after the interview.

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Asylum case officers work at different asylum investigation units all over the country. Information on the case is also gathered by staff at the application units and reception units.

Required qualifications: Case officers are expected to have a higher education degree in law, political science or similar, but it is not a legal prerequisite. There is also no requirement of holding Swedish citizenship, but case officers should have a good command of Swedish and English. One essential selection criteria is a thorough knowledge of the basic legal framework, i.e. Aliens Act, EU *aquis* and other relevant legislation.

Training: There is an obligatory initial training to be completed online in the first 2 months. In addition, new recruits also have a mentor and will receive on-the-job training in their unit. A range of training is available to case officers, e.g. on reception, return, children in migration, etc. It is up to the head of unit to decide what is needed based on an individual plan for training and development. “Kompassen” is an online tool for documenting the individual's plan, to search for available training and register for them.

Grounds

The definition of refugee is included in Section 1, Chapter 4 of the Aliens Act.

A **refugee** is a foreigner who:

- is outside the country of which the foreigner is a citizen, because he/she has a well-founded fear of being persecuted on grounds of race, nationality, religious or political opinion or on grounds of gender, sexual orientation or other membership of a particular social group; and
- is unable, or due to such fear is unwilling, to avail themselves of the protection of that country.

A person is entitled to **subsidiary protection**:

- if there is a real risk on return to be punished by death penalty, or being subjected to corporal punishment, or torture or other inhuman or degrading treatment or punishment, or as a civilian risk serious and personal risk to be hurt due to indiscriminate violence for reasons of international or national armed conflict; and
- the foreigner cannot, or due to such fear as is mentioned in Section 1 is unwilling, to avail themselves of the protection of that country.

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Guidelines for case officers

The following guidance is made available to case officers:

- procedural: For example on the Dublin procedure, the accelerated procedure, the admissibility procedure, and standards for processing applications (provided by the Digitalisation and Development Department of the SMA);
- thematic: Interpretation of asylum law in specific situations and contexts (provided by the Legal Department);
- guidance per country of origin drafted by the Department of Legal Affairs: Policies/country guidance for assessing/examining applications from the main countries of origin (Afghanistan, Somalia, Iran and Iraq), but also with information on specific topics (accessible through a digital library);
- practical instructions on the application of different guidance.

In general, guidelines are always published on the SMA Intranet page and they are accompanied by a decision with instructions on which entities are required to further disseminate and implement the decisions.

Guidance for the assessment of applications submitted by specific profiles of applicants is available in the Lifos database.

Credibility assessment

An assessment is carried out for all written and oral evidence submitted by the applicant. Any credibility issues are addressed to the applicant for an explanation. A credibility assessment is carried out in each case. The case officer proposes an initial conclusion on credibility based on an analysis method set out in standard operating procedures. The senior officer must endorse the conclusion.

Assessment of facts and circumstances when aspects of the applicant's statements are not supported by documentary or other evidence

Facts and circumstances are assessed when aspects of the applicant's statements are not supported by documentary or other evidence, in accordance with the recast QD criteria (Article 4(5)(a)-(d)). An applicant also receives assignments from a case officer, e.g. if he/she comes from a country where,

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according to information available to the SMA, identity documents are issued by the authorities, he/she is asked to contact relatives who may send the documents to Sweden.

Time limit for submitting evidence during credibility

The applicant can share additional evidence at any time during the proceedings but they are informed early on that all evidence should be shared during the interview or later but without undue delay. If evidence is submitted late, the reasons for this are looked into and it may impact the credibility of the evidence.

In 2022, the SMA developed an e-portal with a secure website to allow legal representatives to submit relevant evidence and documents. They can also schedule appointments and online meetings with case officers, in addition to viewing the status of the application.

COI research

Case officers can consult reports produced by the independent COI Unit in the SMA - Lifos, as well as ask specific questions in the form of COI queries. Case officers can also review all existing COI products which are available in the COI database, the EUAA COI Portal and other databases.

National COI experts hold a series of focused webinars each year and it is possible to consult them on individual cases to verify information.

The applicant is provided an opportunity to access the same COI as the authority uses to assess their claim during the procedure. Specific information on the case is sent to the applicant through the legal representative or handed at the end of the interview.

Decision and outcomes

Types of decisions: As an outcome of the asylum procedure, an applicant can be issued every type of decision depending on personal circumstances. If an applicant is granted protection, they receive a combined residence and work permit. If the applicant is not granted protection, they may, under certain circumstances, be granted a work permit instead, including a temporary residence permit.

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Quality review: After an examination and assessment of the application, the case officer prepares a draft decision which is submitted to a decision-making officer *(beslutsfattare)* for a supervisory review. Once finalised, the decision is signed by the case officer and decision-maker.

In general, the Legal Department monitors the quality of the decisions issued by the SMA (through regular reviews), while the Digitalisation and Development Department monitors the asylum procedure (procedural aspects, including time limits, etc.).

Form: There are templates in electronic format with predefined blocks of text when case officers prepare a decision.

- Negative decision: It states the reasons in fact and in law for the rejection. It mentions where an appeal may be lodged (name and address of the court), the timeframe for leaving the country and consequences of not leaving Sweden. Each negative decision is signed by two people: the case officer and the decision-making officer. A return decision is attached to the negative decision and information on how to appeal. The decision is dispatched to the applicant and the public counsel/legal representative.
- Positive decision: It states the reasons in fact and law for granting protection with extensive reasoning. Decisions are signed by two people: the case officer and the decision-making officer. If the applicant is granted subsidiary protection, the reasons for not granting refugee status are stated in fact and law in the decision.

Notification: The decision is not translated in a written form. The SMA calls the applicant to the Reception Unit for notification of the decision on the asylum application. The decision is also sent to both the applicant and the legal counsel. The applicant can also log in to their account through the SMA website (section "Check my application") to see if a decision has been made (content of the decision as well as its nature - positive or negative - is however not communicated through the website).

As of 1 March 2024, the SMA notifies decisions on asylum applications with a ' simplified service'. The decision is sent by post to the applicant. The next working day, a new letter is sent with a control message. The applicant is considered to have been notified of the decision (served) 2 weeks after it was sent by post. Once these 2 weeks have passed, the applicant has 3 weeks to appeal the decision. If the decision is not appealed, it becomes valid (gains legal force) and can be implemented (enforced). This means that when the SMA uses the

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simplified service, the decision begins to apply 5 weeks after it is sent. If the decision is a refusal and the applicant has been given a time period for a voluntary departure, the deadline begins to run from the day the decision comes into force. If the applicant has not been given a period for a voluntary departure, the right to housing and financial support ends on the same day. If it is certain that the person is no longer in Sweden, the procedure is discontinued.

Applicant's access to procedure-related information online: Applicants can make appointments online, submit photos for the LMA-card and be notified of a change of status in their pending application. From 2022, LMA-cards were digitalised to include a QR code for the validity period, and a case-handling system was further developed for increased usability.

There is also an e-service for public counsels where they can register their availability for assignments.

COI units

Background information

The Unit for Migration Analysis (UMA) works on COI and other areas of analysis (migration intelligence for example).

Structure and capacity

Organisation: The Unit for Migration Analysis (UMA) works on COI and other areas of analysis (migration intelligence for example). The UMA is part of the Swedish Migration Agency, which is placed under the Ministry of Justice (although autonomous from the latter). The UMA is one of five units under the Section for Information Analysis which belongs to the National Operations Department. The unit comprises a Head of Unit, several analysts and researchers, and two senior (chief) analysts.

Mandate and tasks: Gathering, analysing, producing and sharing COI with operative staff by responding to queries, compiling reports, lecturing and publishing relevant external reports in the Lifos database. The unit also provides COI upon request by the Agency's Legal Department for policymaking. All published COI material is publicly available on the Lifos website, which is

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administrated by the UMA. The unit undertakes fact-finding missions. Cooperation on COI issues with other EU+ countries is carried out within the framework of the EUAA country networks and through bilateral contacts.

Staff are specialised in specific countries/regions and generally write reports, answers queries and publish material accordingly. However, the unit aims to be flexible. One researcher is specialised in reviewing reports in terms of language and format, another has IT responsibilities, and the chief analysts have a broader mandate comprising general coordination and organisational development.

Staff capacity: These numbers change regularly.

Requirements: Relevant higher education degree and preferably relevant working experience is required.

Regular training and updates: There is no formal system for training. Staff can be provided training on an individual basis.

COI products

Type of COI products produced and frequency: Thematic reports; written and verbal answers to individual queries; lectures/webinars; other analytical reports (usually a combination of COI and migration intelligence).

COI products with a specific focus (regional, thematic including medical, group/profile): Thematic reports; written and verbal answers to individual queries; lectures/webinars; other analytical reports (usually a combination of COI and migration intelligence). The legal Department of the SMA also issues policy guidance documents.

Languages: Input is provided in Swedish, English, Arabic, French, Spanish and Russian. Outputs are produced only in Swedish, although reports often include a summary in English.

Methodology and sources: Open sources; open-source intelligence services; fact-finding mission reports; embassies; other contact networks.

Quality check: An internal peer review system is in place within the unit. It includes linguistic aspects and layout. Having passed these checks, the draft report is reviewed by the Head of Section before publication and in some cases the Head of Department. When a report is produced upon request by the Legal Affairs Department, the document is also reviewed by the Director of Legal

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Affairs and the Head of the National Operations Department before it can be published.

Other aspects of COI units

The SMA uses COI and policy guidance notes (judicial position papers) to aid decision-makers on handling particular types of protection claims from the most common countries of origin. The judicial position papers sometimes include different grounds for asylum that likely justify the granting of asylum. Decision-makers must however consider claims on an individual basis, taking into account the specific facts of the case and all relevant evidence, including information from relevant COI, the SMA's judicial position papers and any applicable Swedish and international case law. Regularly COI is sent to the applicant/legal representative after the interview for consideration in the legal representative's petition.

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