

Appendix 2

# Report on reception of refugees from Ukraine



SWEDEN

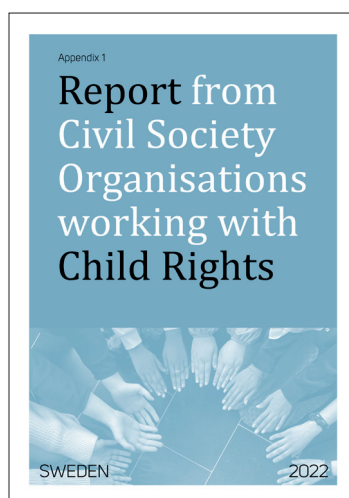
2022

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# The report

The main report »Hear the children’s voices« is based on consultations with children, solely on their voices, without adult interpretation. In the first appendix »Report from Civil Society Organisations working with Child Rights« we, the contributing organisations, describe and analyse children’s rights in Sweden based on our work with and for children and young people. In the second appendix »Report on reception of refugees from Ukraine« we have looked at the reception of children from a child rights perspective.



## Report from children

This report is based on consultations with more than 120 children aged 5-17. All of these children had experienced living in socio-economically disadvantaged areas or in other ways being in a vulnerable situation. They all participated as experts of their own experiences. In the consultations most of the children read and commented on a simplified version of the combined sixth and seventh periodic report from the Swedish Government. The children were also given the possibility to express themselves in creative ways through for instance drawings and writing letters to the Government.

After the consultations, 12 child representatives had one weekend to organise, make the layout, identify recommendations and write an introduction to the report based on the material coming from the consultations. This was done with facilitation and support from adults but without adult interference on the content. This means that the participating 12 children have decided on everything in the report based on the material coming from the consultations with their peers.

## APPENDIX 1

### Report from Civil Society Organisations working with Child Rights

About thirty organisations have taken part in elaborating this appendix. The process, coordinated by the Swedish National Committee for UNICEF (UNICEF Sweden), started in early 2021. Child rights organisations of all sizes and youth organisations have worked side by side for over a year in cross-organizational thematic groups. Our common aim has been to highlight the most pressing child rights issues in Sweden today, and to provide the Committee with the best basis possible for dialogue and observations. The individual organisations have been encouraged to bring the voices and experiences of children into the material, alongside research and their own experiences. The results of the process are two; a solid appendix covering many parts of the CRC, and an increased cooperation within the child rights movement in Sweden.

*When relevant, we have made references to the combined sixth and seventh periodic report from the Swedish Government.*

## APPENDIX 2

### Report on reception of refugees from Ukraine

The report from Civil Society Organisations working with Child Rights was almost finalised when Russia attacked Ukraine, resulting in millions of people fleeing the country. This is why we have added this short appendix highlighting the child rights issues that are connected to the invasion of Ukraine and the reception of refugees in Sweden.

# Special concerns regarding the implementation of the rights of the child in Sweden following the war in Ukraine

Following the Russian invasion of Ukraine on February 24, 2022, and the following war, several million Ukrainians have fled the country.

By the end of May 2022 approximately 38.000 Ukrainians had applied for protection in Sweden, including almost 14.000 children.<sup>1</sup> In this appendix we want to highlight the child rights issues that are connected to the war and the reception of refugees in Sweden. It concerns both the situation domestically as well as Sweden's actions internationally in connection to the war.

1. Swedish Agency for Migration, official statistics. Only available in Swedish  
*Inkomna ansökningar om asyl 2022.xlsx* (live.com) (2022-06-13)

# General Measures of Implementation

*International Development Cooperation and Official Development Assistance*

Sweden is the world's largest donor in proportion to the size of its economy: in 2020, 1.14% of the gross national income (GNI) was spent on official development assistance (ODA). Sweden has a reputation of being committed to principles of aid-effectiveness and other good practices.

Following the war in Ukraine, the government decided to cut the ODA dramatically to cover the costs for reception of refugees. 7,9 billion SEK (or 16% of ODA) were transferred to different Swedish actors, making Sweden the largest recipient of Swedish ODA.

The Swedish economy is considered strong, and redirection of ODA is not necessary, even if it is permitted by the OECD-DAC-guidelines. Over the last two years, the Government has provided specific subsidies and emergency support to municipalities, regions, private companies and persons worth hundreds of millions of USD, to cover losses and higher expenses due to the pandemic and higher energy and oil costs.

The decrease of ODA in the middle of the year will have a devastating impact on development cooperation to support programs designed to help people overcome poverty, discrimination and oppression around the world. It is in conflict with Sweden's own policies and goals for its ODA-support and with internationally agreed principles of aid-effectiveness.

## RECOMMENDATIONS TO THE GOVERNMENT

1. Ensure that Swedish development cooperation is used to alleviate suffering, help people to come out of poverty and oppression in accordance with national goals and policies and international agreements on aid-effectiveness.

## EU Temporary Protection Directive and the rights of the child

The Russian invasion led to the EU activating the Temporary Protection Directive (TPD). The directive has created a sometimes-complicated situation in Sweden, as people fleeing war and persecution are treated differently depending on where they are fleeing from.

There is a possibility for Ukrainian refugees to apply for protection status, however few are aware of this. The Swedish Migration Agency has currently paused all examinations of these applications due to difficulties in assessing the security situation in Ukraine. Inter alia, most children are not getting an individual assessment in order to determine what kind of protection status is in the best interest of the child. For children it can be better to receive refugee status or subsidiary protection status, since this provides more rights, due to being registered in the Swedish system.

In the regular asylum process, the Swedish Migration Agency is obliged to perform a screening of vulnerability of children, to identify special needs and support. Civil society organisations are concerned that this is not carried out for children falling under the TPD

#### RECOMMENDATIONS TO THE GOVERNMENT

2. Ensure that information about the TPD reaches all refugees and asylum seekers in order to ensure that everyone understands why different rules apply to different groups.
3. Allow everyone fleeing the conflict in Ukraine to apply for protection status and have their protection needs individually assessed regardless of the application of the TPD.
4. Carry out vulnerability screenings with regards to every child from Ukraine who has arrived or is arriving in Sweden.

## General Principles

### Non-discrimination

The swift response to ensure the protection of children and their families fleeing the conflict in Ukraine through the activation of the TPD is welcomed. However, the creation of a two-tier system - where the protection needs are handled differently depending on which conflict a child is seeking refuge from – calls for caution with regards to the principle of non-discrimination.

In the public debate, there has been voices raised – including by politicians in parliament – calling persons fleeing Ukraine “real” refugees, as opposed to other refugees. The difference in treatment has also shown individual cases of discrimination, with one municipality denying quota refugee protection and support<sup>2</sup> with reference to wanting to prioritize support to refugees from the Ukraine.

The war in Ukraine created an enormous will to help. This is much welcomed. A large amount of financial support has been raised, both from individuals and private companies and many different initiatives have been launched in order to secure appropriate reception of Ukrainian refugees. In Sweden, public transportation has been provided for by some transport companies and entry fees to various institutions, such as museums and leisure activities for children, have been suspended. The funds and the special treatment have only been offered to refugees from Ukraine, even though all asylum-seekers in Sweden have the same daily allowance from the State as the refugees from Ukraine. This is, e.g. by other asylum seekers, seen as discriminatory.

On the other hand, Ukrainians covered by the TPD, are not being registered (folkbokförda) despite their residence permit, which is a difference from persons with other forms of residency permits. This means that they cannot access other forms of financial support from the state (child allowance, income support etc).

All in all, different rules and regulations for asylum-seekers depending on their origin creates a feeling of unfair treatment as well as mistrust towards the Swedish society.

#### RECOMMENDATIONS TO THE GOVERNMENT

5. Ensure that the principle of non-discrimination is applied consistently to all asylum-seeking children regardless of their origin and provide services based on needs, not origin.
6. Enable Ukrainian refugees to be fully registered (folkbokförda) in order to access financial support and social services on the same terms as other persons granted residence permits.
7. Ensure that there are legal repercussions for municipalities that refuse to follow international and national law regarding refugees.

2. Municipalities are obliged by law to accept quota refugees. 5 § Lag (2016:38) om mottagande av vissa nyanlända invandrare för bosättning.

## Right to health

### Right to mental health care

Many children who arrive in Sweden from Ukraine are in need of some form of trauma treatment. As mentioned in Appendix 1, psychiatric care in Sweden is under great pressure even without refugees in need of assistance. We are concerned that children fleeing the war in Ukraine are not getting the psychiatric treatment they need in time.

#### RECOMMENDATION TO THE GOVERNMENT

8. Take all necessary measures to ensure that psychiatric treatment is offered to children fleeing war.

## Right to adequate standard of living

### Right to housing

In Sweden there are challenges with refugees being placed in very remote areas with limited access to transportation (to studies, work, schools, leisure activities etc.). There are also challenges when refugees are being placed in densely populated areas where there are more job possibilities but poor housing facilities. It is important that a holistic evaluation of the best interest of the child is carried out before a child and its family are referred to a long-term living arrangement. During the spring 2022 we met several refugee families who were forced to move several times in a short period of time.

#### RECOMMENDATION TO THE GOVERNMENT

9. Ensure a determination of the best interest of the child is carried out when providing housing. Make sure, to the extent possible, that children are able to stay in an area where they were placed initially and avoid moving children to other municipalities and parts of the country.

## Right to education

Even though children from Ukraine have the right to attend school in Sweden, we have been informed that many of them have not started school within one month (as stipulated in Swedish regulations) or even more after their arrival. The reasons for this are not clear.

Education is neither compulsory for children covered by the TPD, nor for children seeking asylum. This means that the municipality has no obligation to act if a child does not attend school. The CRC Inquiry highlighted this as one of the areas where Swedish legislation is not in line with the CRC.<sup>3</sup>

#### RECOMMENDATION TO THE GOVERNMENT

10. Ensure that all Ukrainian children arriving in Sweden are offered a place in a school within one month of arrival, as stipulated in Swedish regulations.
11. Ensure that information about the right to and importance of education and swift registration into the Swedish school system reaches all refugees arriving in Sweden.
12. Change the law to ensure primary education is compulsory for all children in Sweden, including asylum-seekers and children covered by the TPD.

3. Swedish Government Official Report (2020). SOU 2020:63, *Barnkonventionen och svensk rätt*. P. 1134. Only available in Swedish.

# Organisations behind the report

