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The application of the Temporary Protection Directive: Challenges and practices in 2023-2024 – National Report Sweden

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Executive Summary

This report represents Sweden's contribution to the 2023 EMN study *Application of the Temporary Protection Directive: challenges and good practices in 2023*, which was produced by EMN Member and Observer Countries. This national contribution was made by the Swedish National Contact Point of the European Migration Network (EMN). Although the 2023 EMN study covers the period from 1 January 2023 to 1 July 2023, the national report has been extended to include developments until November 2024. This extension was made in order to provide a comprehensive overview of the application of the Temporary Protection Directive (TPD) in Sweden.

Like other EU Member States, Sweden reacted immediately to the large-scale Russian invasion of Ukraine by offering people fleeing from Ukraine temporary protection under the TPD. The process of registration and extension of residence permits under temporary protection were conducted though e-services. Immediate and collective protection to displaced persons was secured, and access to rights under the TPD was provided. In compliance with the requirements of the TPD, Sweden provides the right to seek international protection while applying for or after obtaining temporary protection. However, applications for international protection were not assessed until December 2023. Generally, beneficiaries of temporary protection (from now on BoTP) cannot be granted other types of residence permits under Swedish law while the TPD remains in force. The Swedish Government has not proposed any national course of actions after the TPD expires.

BoTP have been allowed to move freely in EU Member States other than the Member State of residence. No obstacles have been identified in Sweden for beneficiaries to travel or relocate within the EU. The findings of this report show that access to free movement within the Schengen area has been obtained without compromising the right of BoTP to residence permit. Although their entitlement to financial support could be affected. Sweden does not provide financial support for BoTP who wish to voluntarily go back to Ukraine. Sweden provide access to the rights listed in the TPD, such as access to accommodation, labour market, education, health care and social assistance and welfare. BoTP have access to these rights to the same extent as asylum seekers in Sweden. The main obstacle for BoTP has been the difficulty to register in the Swedish Population Register and to obtain a Swedish personal identity number. The lack of a personal identity number has resulted in limited access to various rights. This changed in July 2024, when the Swedish Government decided to allow BoTP who had been granted temporary protection in Sweden for two years to register in the Swedish Population Register and from 1 November 2024 the time requirement was lowered to one year. In addition, identifying vulnerable groups, including unaccompanied minors and victims of trafficking, remains challenging for the national authorities due to reliance on online procedures and minimal in-person interactions.

This report provides insights into challenges and good practices related to the application of the TPD and informs on policies necessary to effectively support displaced individuals, ensuring access to essential rights and resources while adapting to changing conditions.

Sammanfattning på svenska

Denna rapport utgör Sveriges bidrag till 2023 års EMN-studie *Application of the Temporary Protection Directive: challenges and good practices in 2023*, som genomfördes i EMN:s-medlems och observatörsländer. Det nationella bidraget togs fram av den svenska nationella kontaktpunkten för det Europeiska Migrationsnätverket (EMN). Även om studieperioden för EMN-studien omfattar perioden från 1 januari 2023 till 1 juli 2023, har studieperioden för den nationella rapporten utökats till att omfatta november 2024. Denna förlängning gjordes för att ge en heltäckande översikt över tillämpningen av massflyktdirektivet i Sverige. Precis som andra EU-medlemsstater reagerade Sverige omedelbart på den storskaliga ryska invasionen av Ukraina genom att erbjuda människor som flydde från Ukraina tillfälligt skydd under massflyktdirektivet. Processen för registrering och förlängning av uppehållstillstånd under tillfälligt skydd genomfördes via e-tjänster. Omedelbart och kollektivt skydd för fördrivna personer säkrades och tillgång till rättigheter enligt massflyktdirektivet tillhandahölls. I enlighet med massflyktdirektivets krav ger Sverige rätt att söka internationellt skydd samtidigt som man ansöker om eller efter att ha erhållit tillfälligt skydd. Ansökningar om internationellt skydd prövades dock inte förrän i december 2023. Generellt sett kan personer som beviljats tillfälligt skydd inte beviljas andra typer av uppehållstillstånd enligt svensk lag medan massflyktdirektivet är i kraft. Sveriges regering har inte föreslagit något nationellt tillvägagångssätt efter att massflyktdirektivet löper ut.

Personer som åtnjuter tillfälligt skydd har fått röra sig fritt i andra EU-medlemsstater än bosättningsmedlemsstaten. Inga hinder har identifierats i Sverige för dem att resa eller flytta inom EU. Resultaten av den här rapporten visar att tillgång till fri rörlighet inom Schengenområdet har erhållits utan att deras rätt till uppehållstillstånd äventyras. Samtidigt kan deras rätt till ekonomiskt stöd påverkas. Sverige ger inte ekonomiskt stöd till personer som åtnjuter tillfälligt skydd som frivilligt vill åka tillbaka till Ukraina. Sverige ger tillgång till de rättigheter som anges i massflyktdirektivet, såsom tillgång till boende, arbetsmarknad, utbildning, hälso- och sjukvård samt socialbidrag och välfärd. Personer som åtnjuter tillfälligt skydd har tillgång till dessa rättigheter i samma utsträckning som asylsökande i Sverige. Det främsta hindret för dem har varit svårigheten att folkbokföra sig och att få ett svenskt personnummer. Avsaknaden av personnummer har medfört begränsad tillgång till olika rättigheter. Detta ändrades i juli 2024, då Sveriges regering beslutade att låta personer som beviljats tillfälligt skydd i Sverige under två år folkbokföra sig och från den 1 november 2024 sänktes tidskravet till ett år. Dessutom är det fortfarande en utmaning för de nationella myndigheterna att identifiera utsatta grupper, inklusive ensamkommande barn och offer för människohandel, på grund av beroendet av digitala processer och begränsat antal fysiska mötestillfällen.

Denna rapport ger en inblick över utmaningar och god praxis relaterade till tillämpningen av massflyktdirektivet och upplyser om policies som är nödvändiga för att effektivt stödja fördrivna personer och säkerställa deras tillgång till grundläggande rättigheter och resurser, samtidigt som de policies anpassas till förändrade förhållanden.

1. Introduction

1.1 Background and rationale for the study

The Russian attack on Ukraine on 24 February 2022 prompted a rapidly escalating, large-scale displacement situation, resulting in millions of individuals fleeing both within Ukraine and towards the European Union. In response to this urgent refugee situation, the EU reacted quickly to a situation of mass arrivals of displaced people from Ukraine. On 3 March 2022, the European Commission proposed the activation of the TPD.[1] The Council promptly followed the European Commission's initiative and adopted an Implementing Decision on 4 March 2022, which entered into force on the same day.[2] The aim was to provide immediate and collective protection to displaced persons from Ukraine, to alleviate pressures on national asylum systems in the EU and to allow displaced persons to enjoy harmonised rights across the EU.[3] Since its activation, the TPD has been extended three times: first until March 2024, then until March 2025, and most recently on 25 June 2024, when the Council of the European Union extended it until 4 March 2026.

On 31 December 2024, nearly 4.3 million non-EU citizens, who fled Ukraine as a consequence of the Russian war of aggression against Ukraine, were under temporary protection in the EU. In Sweden, 46 410 persons displaced from Ukraine were under temporary protection at the end of December 2024.[4]

The study was conducted to assess Sweden's application of the TPD in order to understand the effectiveness of its implementation in Sweden, identifying gaps and exploring policy adjustments that may enhance support for displaced from Ukraine and other groups that may rely on temporary protection in the future.

1.2 EU legal and policy context

According to Article 78 in the Treaty of the Functioning of the EU, the EU should develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of non-refoulement. For this purpose, a common system of temporary protection for displaced persons in the event of a massive inflow should be adopted. The TPD has its origins in the Common European Asylum System and was designed to provide immediate, harmonized protection across the EU in response to large-scale, rapid displacement scenarios. The TPD was adopted in 2001 in response to the conflicts in the former Yugoslavia. In accordance with Article 1 of the TPD, the

[1] Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, OJ L 212, pp. 12-23.
[2] Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, Implementing decision - 2022/382 - EN - EUR-Lex, last accessed on 3 December 2024, OJ L 71, pp. 1-6.
[3] Parusel, B. & Varfolomieieva, V. The Ukrainian Refugee Situation: Lessons for EU Asylum Policy, SIEPS, 2022, p. 2, 2022_16epa.pdf, last accessed on 3 December 2024.
[4] Eurostat, Temporary protection for persons fleeing Ukraine - monthly statistics - Statistics Explained, last accessed on 3 December 2024.

purpose of the Directive is to establish minimum standards for giving temporary protection to large numbers of displaced persons and to promote a balance of efforts between EU Member States in receiving and bearing the consequences of receiving such persons.

Following the Russian full-scale invasion of Ukraine, the TPD was activated for the first time by the Council Implementing Decision on 4 March 2022. All EU Member States, with the exception of Denmark, are obligated to comply with the Directive.

1.3 Study aims and primary questions

The overall aim of the study is to inform practitioners, policy officers, decision makers at both EU and national level, including the European Commission and the European Union Agency for Asylum, academic researchers, civil society organisations and the general public about the practices and challenges surrounding the implementation of the TPD in Sweden during 2023 and 2024. It should be noted that the study period for the EMN study on the application of the TPD in 2023 is from 1 January 2023 to 1 July 2023. However, the study period for this national report has been extended to November 2024. This extension was made in order to provide the most comprehensive overview of the application of the TPD in Sweden to date. In some cases, developments that occurred before this period are included as well in order to provide relevant background.

This study offers a comprehensive overview of the developments, challenges, and practices related to the implementation of the TPD, with particular emphasis on topics of interest for both national and European policymakers. It includes an analysis of how the TPD has been implemented over time, identifying both challenges and practices. Through this exploration, the study aims to provide valuable insights that can inform future policy decisions and enhance the efficiency of the TPD implementation.

The main objectives of the national study are:

- To describe the process of registration and extension of temporary protection.
- To explain the possibility to change status from temporary protection to other types of residence permits or protection.
- To present how travel of BoTP within the EU and to Ukraine, relocation to other EU Member States, and return to Ukraine is regulated.
- To map practices on accessing rights provided by the TPD, such as right to accommodation, access to labour market, right to education, health care and social assistance and welfare.
- To provide practices on supporting vulnerable groups and children, and preventing human trafficking.

1.4 Definitions

The following key terms are used. The definitions are taken from the EMN Asylum and Migration Glossary,[5] unless specified otherwise in footnotes.

[5] EMN Asylum and Migration Glossary, online: EMN Asylum and Migration Glossary - European Commission, last accessed on 3 December 2024.

Term	Definition
Displaced persons	In the global context, persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, either across an international border or within a State, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters.
Guardian	In the migration context, an independent person appointed to act on behalf of a child, in the absence of (both) parents or the adult responsible for the child by law or by practice, who safeguards the best interests of the child (BIC) and general well-being, and to this effect complements the limited legal capacity of the child, when necessary, in the same way that parents do.
Repatriation assistance	Financial or in-kind assistance to beneficiaries of international protection who are in the possession of a long-term residence permit and who wish to return to their country of origin.
Temporary protection	A procedure of exceptional character to provide, in the event of a mass influx or imminent mass influx of displaced persons from third countries who are unable to return to their country of origin, immediate and temporary protection to such persons, in particular if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons and other persons requesting protection.
Voluntary return	The assisted or independent return to the country of origin, transit or third country, based on the free will of the returnee.
Vulnerable persons	Minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of trafficking in human beings, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation.

Table 1. Key terms and definitions used.

2. Legal Status and Registration

2.1 Registration and extension of temporary protection

To begin with, Ukrainian citizens, third-country nationals and stateless persons who benefited from international protection or equivalent national protection in Ukraine, and the family members of these two categories, are the groups covered by temporary protection according to the Council Implementing Decision. In order to be eligible for protection under the TPD, individuals must have lived in Ukraine and left the country due to the war on or after 24 February 2022. In April 2022, the Swedish Government decided that more people should be able to receive temporary protection according to the TPD in Sweden. It has been decided that temporary protection shall also apply to certain persons who entered Sweden during the period from 30 October 2021 to 23 February 2022. It has emerged that other persons who are in Sweden should also be covered by temporary protection, for example Ukrainians who entered Sweden before 30 October 2021. The Government therefore decided on 13 December 2023 that temporary protection may be granted to Ukrainian citizens and certain others who were legally residing in Sweden before 22 December 2023, for example due to reunification, work or studies.[6]

Shortly after the beginning of the war in Ukraine, the Swedish Migration Agency launched the e-service, facilitating online applications for temporary protection. This allowed individuals to apply for temporary protection both online and in person for the first time. Everyone who had residence permit according to the TPD received a letter to their postal address with information about the extension process. Applicants only needed an email address and a mobile phone number in the extension process. The submission took a few minutes without the need for attachments or passport copies. Importantly, one application could cover the names and case numbers of all family members, including children and the elderly, allowing for a collective application. There was no requirement for valid identity documents to receive an extended residence permit. The registration and extension process proceeded with only minor technical issues at the e-service's launch.

After submitting the application for extension via the e-service, all family members were required to visit the Swedish Migration Agency in person to collect photography and fingerprints used for new residence permit cards. If a person applied for extended protection on time, they kept all the rights provided by the TPD, including the right to financial support and accommodation, and the right to work. Individuals who did not apply for the extended residence permit by the deadline needed to reapply for temporary protection, accommodation and financial support. In such cases, they would also be prohibited to work until a new decision was made regarding their status. Once the decision was made, it was sent by mail to the beneficiary. The residence permit card was also mailed to the beneficiary as soon as photography and fingerprint was provided.[7]

[6] See The Swedish Government, Communication Anmälan av föreskrifter om att ytterligare kategorier av fördrivna personer ska ges tillfälligt skydd (2023/24:89) (regeringen.se), last accessed on 3 December 2024.
[7] The Swedish Migration Agency: Apply for an extension of a residence permit under the Temporary Protection Directive – Swedish Migration Agency, last accessed on 3 December 2024.

2.2 Transition from temporary protection to residence permit of other types of protection

In Sweden, the provisions on residence permits under temporary protection according to the TPD are incorporated into Chapter 21 of the Aliens Act. The chapter has been placed at the end of the Aliens Act to emphasize that its provisions are intended for exceptional circumstances. Chapter 21 of the Aliens Act constitutes a special regulation that becomes applicable only when the Council of the European Union activates the TPD. When this activation occurs, the rules specified in Chapter 21 take precedence over the general regulations governing applications for refugee status declaration and subsidiary protection status declaration as stated in Chapter 4 of the Aliens Act as well as other grounds for a residence permit as stated in Chapter 5 of the Aliens Act. When an individual qualifies for a residence permit under Chapter 21 of the Aliens Act, this residence permit takes precedence and must be granted as a primary option. This approach is designed to facilitate quick access to essential protection without requiring the individual assessments typically necessary for refugee status assessments. Under this framework, if an asylum seeker does not fall under the EU Council's Implementation Decision or the current extension of the right to a residence permit as specified in Chapter 21, their asylum application can then be processed and evaluated according to the standard procedures in place for asylum applications.[8]

According to Article 3(1) of the TPD, the granting of temporary protection does not affect the possibility of recognizing refugee status under the 1951 Geneva Convention. Sweden, like other EMN Member Countries, acknowledges that individuals eligible for temporary protection can also submit an application for a refugee status declaration, regardless of their temporary protection status or whether they have registered for it. However, it can be noted that the wording of the provision does not allow for the examination of subsidiary protection status declaration.[9]

Since March 2022, the Swedish Migration Agency has, as a general rule, not examined or made decisions on asylum applications from BoTP. In December 2023, the Migration Agency published a new legal position on how the protection needs of BoTP should be assessed, enabling decisions to be made in asylum cases concerning them.[10]

The Council of the European Union has already made a decision about the extension of the temporary protection period until 4 March 2026, which falls beyond the three-year period afforded by the TPD. Up until today, it is unclear how the termination of the TPD would affect Ukrainians and other nationalities

[8] The Swedish Migration Agency, Legal Position: Ordningen för prövningen enligt 21 kap. utlänningslagen (2005:716) (RS/005/2022), pp. 7–8.
[9] Ibid., p. 8.
[10] The statistics for 2023 show that two decisions on approval and two decisions on refusal of asylum in cases concerning Ukrainian citizens have been made. The statistics for 2024, in turn, show that 853 decisions on approval and 65 decisions on refusal of asylum in cases concerning Ukrainian citizens have been made, see The Swedish Migration Agency: Statistik om sökande från Ukraina – Migrationsverket. Avgjorda ärenden om asyl och skydd enligt massflyktsdirektivet 2023, Avgjorda ärenden om asyl och skydd enligt massflyktsdirektivet 2024. The statistics show settled first-time asylum cases concerning Ukrainian citizens during January-December 2023 and January-September 2024.

entitled to temporary protection living and working in Sweden and which measures will be taken in order to ensure their legal status in Sweden.

3. Mobility of Beneficiaries of Temporary Protection

3.1 Relocation and travelling to other EU Member States and outside the EU

Since June 2017, Ukrainians citizens have been entitled visa-free travel to the EU. Ukrainians can enter the EU and remain for up to 90 days within a 180-day period, provided they possess a biometric passport. This visa-free regime allowed Ukrainians to select the EU Member State where they wished to exercise their rights related to the TPD and facilitated their ability to connect with family and friends across the extensive diaspora networks that exist throughout the Union.[11] Additionally, Ukrainians, as well as other third-country nationals granted residence permits by EU Member States under Article 8 of the TPD, have been allowed to exit the EU and to travel to third countries.[12]

Individuals wishing to relocate to a country other than Sweden were obliged to inform the Swedish Migration Agency by contacting the relevant Unit for Reception. They were also required to notify the Swedish Tax Agency if they had received a coordination number, and inform the municipality if they resided in a municipality-managed housing. If an individual received temporary protection in another EU Member State, Sweden would not revoke their residence permit. However, after being informed about the relocation Sweden would terminate the individual's right to accommodation and financial assistance.[13]

Individuals enjoying temporary protection in Sweden are entitled to travel to other EU Member States for up to 90 days within a six-month period without losing their residence permit. However, departing Sweden may result in the loss of rights to aid under the Act on Reception of Asylum Seekers. If the individual returns to Sweden while their residence permit remains valid, they may reapply for financial support and housing assistance.[14]

3.2 Assistance to people wishing to go (back) to Ukraine

According to Article 21(2) of the TPD, as long as temporary protection remains in effect, the EU Member States shall, on the basis of the circumstances prevailing

[11] Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, Implementing decision - 2022/382 - EN - EUR-Lex, last accessed on 3 December 2024, p. 3.
[12] European Commission, Frequently Asked Questions received on the interpretation of the Temporary Protection Directive and Council Implementing Decision 2022/382, 2022, Frequently asked questions received on the interpretation of the Temporary Protection Directive and Council Implementing Decision 2022-382_en.pdf, p. 7, last accessed on 16 October 2024.
[13] The Swedish Migration Agency: If you plan to travel abroad or move from Sweden when you have a residence permit under the Temporary Protection Directive – Swedish Migration Agency, last accessed on 20 March 2025.
[14] Ibid.

in the country of origin, give favourable consideration to requests for return to the host EU Member State from persons who have enjoyed temporary protection and exercised their right to voluntary return. This provision should not be interpreted as implying that individuals who voluntarily go back to their country of origin are subsequently barred from returning to the EU or that they forfeit their entitlement to temporary protection upon their return.

The European Commission, however, distinguishes between voluntary returns and short-term visits. It posits that individuals under temporary protection may need to return to Ukraine for reasons unrelated to voluntary return, such as visiting family, obtaining important documents, or rescuing family members. Therefore, any short return to Ukraine should not be considered by EU Member States as a decision to voluntarily go back to Ukraine.[15]

The Swedish Migration Agency had the option to provide repatriation assistance and reestablishment support, depending on the foreigner's legal grounds and circumstances.[16] Individuals who have been granted temporary protection under the TPD were not covered by the regulations for repatriation assistance or reestablishment support. The Swedish Migration Agency did not provide travel grants or other assistance to individuals with residence permits under the TPD who choose to go back to Ukraine.

In order to provide such support for people who state that they want to travel back to Ukraine even before their temporary protection ends, the existing regulations need to be revised. The Swedish Migration Agency has assessed that the BoTP currently rarely requests compensation for leaving Sweden, but instead have arranged their trips themselves. Even fewer requested support upon arrival in Ukraine. It has emerged that some individuals who state that they want to leave Sweden also intend to return in the near future or go to another EU Member State. Furthermore, it was noted that factors other than the desire to return are often the reasons Ukrainians choose to leave Sweden. These factors can include the high (and expensive) standard of living, reuniting with family and relatives in other countries, and linguistic and cultural differences.[17]

While BoTP are required to inform Swedish public authorities about their departure from Sweden, the challenge lies in the fact that many individuals leave without fulfilling this obligation. During the first year of the war, approximately 50 000 Ukrainians sought protection in Sweden, the vast majority of whom received temporary protection under the TPD. In February 2023, there were around 40 000 Ukrainians registered in the reception system, of which approximately 9 000 relocated out of the country during the first year and therefore were no longer part of the reception system.[18] At the time of residence permit renewal in March 2023, only around 33 000 individuals applied to renew their temporary residence

[15] European Commission, Frequently Asked Questions received on the interpretation of the Temporary Protection Directive and Council Implementing Decision 2022/382, 2022, Frequently asked questions received on the interpretation of the Temporary Protection Directive and Council Implementing Decision 2022-382_en.pdf, pp. 6-7, last accessed on 16 October 2024.
[16] For more information see Swedish Parliament: Förordning (1984:890) om bidrag till utlänningars resor från Sverige för bosättning i annat land | Sveriges riksdag, last accessed on 16 October 2024.
[17] The Swedish Migration Agency: Årsredovisning – Migrationsverket, Migrationsverkets Årsredovisning 2022, p. 66, last accessed on 20 March 2025.
[18] The Swedish Migration Agency: Ett år sedan Ryssland invaderade Ukraina - Migrationsverket, last accessed on 6 November 2024.

permits in Sweden. In January 2023, before the extension application opened, nearly 39 000 Ukrainians were registered in the reception system. Since then, around 5 500 individuals have been written out of the system. The precise number of individuals who left the country without formally registering their departure remains unclear.[19] In May 2024, the Swedish Migration Agency reported that 34 000 people from Ukraine had been granted temporary protection, and that a total of 39 000 were registered in the reception system in Sweden.[20] This represents a reduction in the number of BoTP compared to the first year of the war.

3.3 Temporary Protection Registration Platform (TPP)

On May 31, 2022, the European Commission initiated the Temporary Protection Registration Platform (TPP) to facilitate the exchange of information concerning BoTP from Ukraine. This platform enables EU Member States to share information about registered individuals in real time, thus ensuring that those fleeing Ukraine could effectively exercise their rights in all EU Member States while preventing instances of double or multiple registrations and mitigating the potential for abuse.

Sweden started to use the TPP in the autumn of 2022. Each workday, a file containing the registered person's name, surname, date of birth, citizenship, place of birth, country of birth, sex, the Swedish decision according to the TPD and the date of this decision is transferred from the Swedish central aliens database. The national system only flags information regarding individuals who have relocated to another EU Member State, which impact the rights and benefits associated with temporary protection. Sweden does not upload the identities of adults accompanying "separated" children arriving from Ukraine, nor those of guardians appointed in Ukraine prior to departure. Nevertheless, this information is available in the national system, where all family members are organized into groups.

4. Access to Rights Provided by the Temporary Protection Directive

The TPD lists the rights of BoTP, including the right to have access to suitable accommodation, access to employment (subject to rules applicable to the profession and to national labour market policies and general conditions of employment), access to medical care, access to education for persons under 18 years, as well as assistance in the form of social welfare and means of subsistence if necessary.

The scope of the rights that BoTP obtained through temporary protection is, in some cases, related to the possibility of registering in the Swedish Population Register and obtaining a Swedish personal identity number. From the date of applying the TPD and until July 2024, BoTP were only able to obtain a coordination number.[21] This limited their access to services such as BankID (e-identification), standard insurance coverage, certain support offered by the Public Employment

[19] The Swedish Migration Agency, *31 000 personer har fått förlängt tillfälligt skydd*, 15 March 2023, [unavailable], last accessed on 6 November 2024.

[20] The Swedish Migration Agency, *34 000 personer har fått förlängt tillfälligt skydd*, 22 February 2023, [unavailable], last accessed on 6 November 2024.

[21] The Swedish personal identity number is issued to persons who are registered in the Swedish Population Register and have a residence permit valid for more than 12 months. The coordination number is issued to persons who are in Sweden temporarily.

Service, and full access to health care, among others. From July 2024, BoTP who had been granted temporary protection in Sweden for two years could register in the Swedish Population Register. Furthermore, from 1 November 2024 the time requirement was lowered to one year, allowing BoTP, who had been granted temporary protection for only one year, to register in the Swedish Population Register. When these changes affected access to the abovementioned rights, they are highlighted in the relevant section below.

4.1 Accommodation

Article 13(1) of the TPD requires that the EU Member States ensure access to appropriate accommodation and housing for BoTP. In Sweden, individuals have the option to arrange their own accommodation or to receive assistance from the Swedish Migration Agency. If an individual chooses to arrange their accommodation on their own, they are responsible for covering the rent. The choice of residence may also influence their entitlement to financial support from the Swedish Migration Agency, particularly if the individual selects housing located in residential areas characterized by social and economic challenges.

When accommodation is arranged by the Swedish Migration Agency, individuals do not have the option to choose its location. Assistance with accommodation can be sought from the Swedish Migration Agency both during the waiting period for a decision and after a decision regarding temporary protection has been made. After notifying the Swedish Migration Agency of their accommodation needs, the agency will seek a municipality that can offer suitable housing. A new law enacted on 1 July 2022, mandates that municipalities are responsible for providing housing for individuals protected under the TPD. The purpose of this legislation was to encourage Swedish municipalities to share responsibility for arranging housing, education, and care for those who have fled the war in Ukraine. Accommodation provided by the Swedish Migration Agency and those offered by municipalities may vary, including options such as apartments with cooking facilities, rooms with shared kitchens, or larger accommodations with communal dining services.

According to the IOM study *Ukrainians and third-country nationals under temporary protection in Sweden*, approximately 44% of the BoTP in 2024 lived in an autonomous housing solution, meaning they either rented or owned an apartment. This was three percent more than in 2023 (41%). The remaining 56% resided in accommodations provided by the Swedish Migration Agency or municipalities, while some received support from civil society initiatives and friends.[22]

Like many other EU Member States, Sweden initially encountered challenges in rapidly expanding its reception capacity, particularly in terms of temporary housing. As the authority responsible for providing housing and financial support to asylum seekers, the Swedish Migration Agency solely handled these responsibilities when the TPD was activated. By spring 2022, Sweden faced a significant increase in demand for housing and accommodation. Moreover, it became apparent that much of the accommodation offered by the Swedish Migration Agency was concentrated in specific areas, leading to an uneven distribution across the country. Consequently, Sweden was quickly confronted with a housing shortage. The legislation enacted in July 2022 enabled

[22] International Organization for Migration, 'Ukrainians and third-country nationals under temporary protection in Sweden', 2024, DTM2024_Ukraine Resp_Temporary Protection Holders in Sweden_ENG, last accessed on 20 March 2025.

municipalities to take over responsibility for arranging housing for BoTP, which facilitated a more equitable distribution of them throughout the country. The distribution is determined based on various factors, including the municipality's population, labour market conditions, the number of asylum seekers already residing there, and previous experiences with receiving migrant children. There was a maximum number of 23 500 BoTP distributed nationwide among the municipalities during 2022. The Swedish Migration Agency continued to be responsible for providing economic support to BoTP, while municipalities were responsible for accommodation and social services, such as childcare and education, which are funded by the government based on a model for reimbursement to the municipalities.

4.2 Labour Market

BoTP are guaranteed access to the labour market in accordance with Article 12 of the TPD. The Directive requires EU Member States to authorise persons enjoying temporary protection to engage in employment or self-employment activities, subject to rules applicable to the profession, as well as in activities such as educational opportunities for adults, vocational training, and practical workplace experience.

According to the study conducted by IOM in the spring of 2024, almost two-thirds (58%) of all respondents were in employment (employed, self-employed, daily worker), while 30 % were unemployed but looked for a job. Among the inactive (12%), most were students (61%) and retirees (30%), while nine percent were neither employed nor looking for a job. The high level of participation in the labour market remained similar to what was observed in 2023. Gender, age, the absence of children, the ability to speak Swedish and English, and time spent in Sweden were factors that – as observed in 2023 – significantly correlated with the level of employment. Furthermore, nearly half of those employed report that they were not fully utilizing their experience or skills in their jobs. The study highlighted that language proficiency is a significant barrier for job seekers in Sweden. However, in 2024, 76% or respondents cited language as the primary obstacle to enter the labour market, compared to 85% in 2023. Other barriers frequently mentioned included the lack of suitable jobs in the area of residence (31% compared to 22% in 2023) and the lack of required qualifications or of their recognition (mentioned by 17% of respondents in 2024, compared to 14% in 2023).[23]

In mid-May 2023, the government made amendments to the European Social Fund+ (ESF+) programme for 2021-2027, allocating approximately SEK 329 million to initiatives aimed at assisting BoTP in entering the labour market and engaging in social activities. The program would specifically target individuals who have fled Ukraine, with goals to enhance their integration and employment prospects. Actions could include skills assessment and evaluation, skills enhancement, Swedish or English language education, societal introduction, and counselling services.[24]

Additionally, the government has tasked the Swedish Public Employment Service with continuing its efforts to provide information about the Swedish labour market. The goal was to ensure that BoTP received guidance and support on how to seek

[23] Ibid.
[24] The Swedish ESF Council, 'European Social Fund Plus 2021–2027', European Social Fund Plus 2021–2027 - Svenska ESF-rådet, last accessed on 6 November 2024. See all projects focusing on people who have fled Ukraine under Projektbanken.

employment in Sweden and to have their qualifications assessed. The Swedish Public Employment Service should also work to facilitate the hiring of BoTP by employers.

BoTP could be eligible for different types of support from the Public Employment Service, depending on how long they have been in Sweden and whether they are registered in the Swedish Population Register. Regardless of whether they have a Swedish personal identity number or a coordination number, BoTP were able to register as job seekers with the Public Employment Service.

If a person had a residence permit under the TPD but could not register in the Swedish Population Register and therefore could not obtain a Swedish personal number, they could still have been eligible for some support from the Public Employment Service. In such cases, BoTP could receive support from various subsidized employment opportunities, such as a Labour Market Entry Agreement, an Introductory Job, or a New Start Job, as well as support for adapting jobs to meet the specific needs of persons with disabilities.

Once registered in the Swedish Population Register and having obtained a Swedish personal identity number, a person gains a right to the Introduction Programme, which consists of individually tailored initiatives and support, along with financial compensation for participation.[25]

Regarding the labour market situation, there was a concern that BoTP would face exploitation in the labour market, as the daily allowances provided were often insufficient for basic living expenses, and BoTP were not eligible for additional social benefits. As a result, BoTP could feel compelled to accept available job offers regardless of salary or unfavourable employment conditions.[26]

4.3 Healthcare

Article 13(2) of the TPD requires EU Member States to make provisions for persons enjoying temporary protection to receive medical care, which shall include at least emergency care and essential treatment of illness. Furthermore, Article 13(4) specifies that individuals with special needs, such as unaccompanied minors and survivors of torture, rape, or other severe forms of psychological, physical, or sexual violence, should receive necessary medical and other forms of assistance.

Individuals holding a temporary residence permit under the TPD have had the right to emergency medical care, emergency dental services, and any healthcare that could not be deferred. Determinations regarding what constitutes non-deferrable care were made by regional healthcare services based on individual circumstances. Furthermore, these individuals were entitled to obstetric care, abortion services, contraceptive counselling, maternal healthcare, and care provided under the Communicable Diseases Act. Other types of healthcare are not considered the responsibility of county councils unless they voluntarily decided to provide more extensive healthcare services. Additionally, all BoTP were given the opportunity to undergo a free health examination. BoTP could present their

[25] The Swedish Public Employment Service: Are you from Ukraine? - Arbetsförmedlingen, last accessed on 6 November 2024.
[26] Tyldum, G., Kjeöy, I. & Lillevik, R. Different policies, different outcomes. The reception of Ukrainian refugees in Sweden and Norway. (Fafo, 2023). 967-second-edition.pdf, last accessed on 6 November 2024.

residence permit card to receive reduced fees when accessing healthcare services, at a cost of approximately € 5 or obtain certain medications at pharmacies.[27]

The classification of care as "care that cannot wait" has been a subject of controversy due to its ambiguity for medical professionals. This category of care was intended to be broader than emergency healthcare and encompass care without which a patient could suffer significant consequences. Examples include care for severe pain, anxiety, depression, and risk of suffocation or bleeding. HIV antiviral and diabetes treatment was also covered. Additionally, care that "cannot wait" extends to measures that could reduce the need for future interventions or minimize their severity. It also encompasses access to essential aids for people with disabilities, such as wheelchairs or hearing devices. However, because no definitive list of included care types exists, questions arise about the predictability of such care and the feasibility of accessing advanced or costly treatments.[28]

Children and adolescents benefiting from temporary protection were entitled to the same healthcare and dental care as other children and adolescents living in Sweden. Medication prescribed to children was provided at no cost. Children benefiting from temporary protection could also have had free access to certain assistive devices if a healthcare provider assessed that they were needed.[29]

Since it is up to healthcare providers to determine which interventions were urgent, practical access to healthcare could differ significantly. Notably, over half (52%) of Ukrainian respondents indicated they had faced obstacles in accessing healthcare services in Sweden. Among the most frequently reported obstacles, were language barriers (18%), cost of health services (16%) or the lack of eligibility (10%).[30] Since BoTP were only entitled to a coordination number until July 2024, it did not give them access to publicly funded care in Sweden. After obtaining a Swedish personal identity number, BoTP have had access to subsidized healthcare at the same patient fees as other residents.

4.4 Education

Article 14(1) of the TPD requires EU Member States to grant all persons under 18 years of age enjoying temporary protection access to the education system under the same conditions as their own nationals.

Children who applied for or received temporary protection in Sweden under the TPD were entitled to attend preschool and school. Children could enrol in preschool as early as one year of age if their parents were employed or studied, or if there was another compelling need for childcare based on the family's situation. Starting from the autumn semester of the year a child turned three, they have had the right to attend preschool regardless of their parents' employment or educational

[27] The Swedish Migration Agency: Work, school and healthcare for people with a residence permit under the Temporary Protection Directive – Swedish Migration Agency, last accessed on 6 November 2024.
[28] Litins'ka, Y. 'What Healthcare Services Temporary Protection Entitles to Have? Navigating the European Social Charter' (2024), *European Journal of Health Law*, 31(1), pp. 55-56.
[29] The Swedish Migration Agency: Work, school and healthcare for people with a residence permit under the Temporary Protection Directive – Swedish Migration Agency, last accessed on 6 November 2024.
[30] International Organization for Migration, 'Ukrainians and third-country nationals under temporary protection in Sweden', 2024, DTM2024_Ukraine Resp_Temporary Protection Holders in Sweden_ENG, last accessed on 20 March 2025.

status. Moreover, children were entitled to attend school beginning in the autumn semester of the year they turned six. Attendance is compulsory for ten years of primary education, which is provided free of charge by municipalities. Upon completion of primary school, individuals were entitled to pursue secondary education, provided they commenced their studies before reaching 18 years of age. Upper secondary education allows for preparation for higher education or vocational training.[31]

While children with temporary protection possessed the same rights to education as other children in Sweden, attendance was not mandatory, leaving it to parents to decide if and how their children would participate in school.[32] In the IOM study conducted in the spring of 2023, on average, 73% of respondents with children of school or preschool age reported enrolling their children in local Swedish schools, while seven percent indicated their children were attending only online classes from Ukrainian schools. Additionally, 13% reported enrolling their children in both local schools in Sweden and online courses in Ukraine. Approximately seven percent of respondents with preschool or school age children stated that their children were not enrolled in any educational program.[33] Because BoTP were not registered in the Swedish Population Register, it was challenging to know how many children that were unregistered for school. This made it difficult for municipalities to reach out to these families, as they lacked oversight and contact information.[34]

In the spring of 2023, the government allocated SEK 100 million to enable municipalities to provide Swedish for Immigrants (SFI) language education to BoTP. As of 1 June 2023, municipalities were formally permitted to offer this language education, but it remained a discretionary option rather than a requirement. As a result, only 39 out of 290 Swedish municipalities offered access to SFI courses to BoTP during the spring of 2023.[35] A community education course was offered online by the Swedish Migration Agency. Additionally, "Svenska från dag ett" ("Swedish from Day One"), facilitated by folk high schools and adult education organizations, was available to BoTP.[36] However, according to the Education Act, BoTP did not have the right to study in municipal adult education (Komvux). In July 2023, the Swedish Government decided that municipalities could offer people covered by the TPD education in Swedish or Swedish as a second language at basic and upper secondary level within Komvux. The change entered into force in August 2023.[37]

[31] The Swedish Migration Agency: Work, school and healthcare for people with a residence permit under the Temporary Protection Directive – Swedish Migration Agency, last accessed on 6 November 2024.
[32] Tyldum, G., Kjeöy, I. & Lillevik, R. Different policies, different outcomes. The reception of Ukrainian refugees in Sweden and Norway. (Fafo, 2023). 967-second-edition.pdf, last accessed on 6 November 2024.
[33] International Organization for Migration, 'Ukrainians and third-country nationals under temporary protection in Sweden', 2024, DTM2024_Ukraine Resp_Temporary Protection Holders in Sweden_ENG, last accessed on 20 March 2025.
[34] Tyldum, G., Kjeöy, I. & Lillevik, R. Different policies, different outcomes. The reception of Ukrainian refugees in Sweden and Norway. (Fafo, 2023). 967-second-edition.pdf, last accessed on 6 November 2024.
[35] Ibid.
[36] International Organization for Migration, 'Ukrainians and third-country nationals under temporary protection in Sweden', 2024, DTM2024_Ukraine Resp_Temporary Protection Holders in Sweden_ENG, last accessed on 20 March 2025.
[37] The Swedish Government: Personer från Ukraina kan få tillgång till mer utbildning i svenska språket - Regeringen.se, last accessed on 20 March 2025.

According to the IOM study conducted in the spring of 2024, a majority of BoTP identified language courses as a primary need, with 33% of respondents also expressing a desire for adult education. About 70% of respondents in 2024 attended a Swedish language course, which is 12% more than in 2023. Satisfaction with the Swedish language courses improved in 2024, with 75% of respondents reporting satisfaction, compared to 69% in 2023. Several issues were identified in the language courses, including the short duration of the courses, the non-suitability of schedule for working people, difficulties in communication with teachers in Ukrainian or Russian, and concerns about the quality of materials and the overall structure of the courses, particularly in relation to labour market needs.[38]

For children, young people and adults with a residence permit for temporary protection who met the requirements to be registered in the Swedish Population Register, the same provisions regarding the right to education and compulsory schooling applied as for other residents in Sweden. This applies to everyone who met the registration requirements, and it was not necessary to actually have been registered in the Swedish Population Register or received a personal identity number for the right to education and compulsory schooling to take effect. Therefore, they have had the right to full education, and children are now covered by compulsory schooling in Sweden.[39]

4.5 Social Assistance and Welfare

Article 13(2) of the TPD requires EU Member States to make provision for persons enjoying temporary protection to receive necessary social welfare and means of subsistence if they do not have sufficient resources.

BoTP in Sweden have had the same entitlement to a daily allowance as asylum seekers, but they did not qualify for additional allowances or social security benefits. The allowances, first introduced in 1994, have not been adjusted since, leading many BoTP to consider them inadequate to meet their living expenses.[40]

The daily allowances for BoTP are as follows:

In accommodation where food is included:

SEK 24/day for a single adult.
SEK 19/day per person for adults sharing household expenses.
SEK 12/day for children up to and including the age of 17 years.

In accommodation where food is not included:

SEK 71/day for a single adult.
SEK 61/day per person for adults sharing household expenses.

[38] International Organization for Migration, 'Ukrainians and third-country nationals under temporary protection in Sweden', 2024, DTM2024_Ukraine Resp_Temporary Protection Holders in Sweden_ENG, last accessed on 20 March 2025.
[39] The Swedish National Agency for Education: Ukrainska flyktingar får utökad rätt till utbildning - Skolverket, last accessed on 20 March 2025.
[40] International Organization for Migration, 'Ukrainians and third-country nationals under temporary protection in Sweden', 2024, DTM2024_Ukraine Resp_Temporary Protection Holders in Sweden_ENG, last accessed on 20 March 2025.

SEK 37/day for children aged 0–3 years.
SEK 43/day for children aged 4–10 years.
SEK 50/day for children aged 11–17 years.[41]

In total, this results in approximately SEK 2 130 (€ 195) per adult per month without food and SEK 720 (€ 66) per adult per month with food included in the accommodation. The allowance represents roughly 5.4% of the monthly median income in Sweden for 2022.[42]

Families with more than two children have received the full daily allowance for the two oldest children and half the daily allowance for the remaining children. In addition to food, this daily allowance intends to cover expenses for clothing and footwear, medical care and medications, dental care, hygiene products, other consumables, and leisure activities.

According to the IOM study conducted in the spring of 2024, 29% of respondents identified financial support as a significant need, compared to 33% in 2023. Around 55% of the Ukrainian participants indicated having sufficient means or income to cover their living expenses, compared to 50% in 2023. Income from work is the primary source of funds for everyday expenses for 55% of respondents (compared to 43% in 2023), while less than a fifth (17% in 2024, compared to 24% in 2023) considered support from authorities as their main source of income. Some 15% (compared to 16% in 2023) mentioned the support from family or friends.[43]

BoTP faced additional challenges due to their ineligibility for a personal identity number, which complicated the process to obtain a Swedish bank account. The available limited financial support could limit efforts related to language acquisition and integration.[44] A study conducted in the first half of 2023 concluded that the economic assistance provided to Ukrainian BoTP in Sweden was so constrained that they were at a significant risk of food insecurity. Moreover, as many Ukrainians relied on low wages, the insufficient allowances increased the risk of exploitation in the labour market.[45]

Since July 2024, BoTP who had been granted temporary protection in Sweden for two years could be registered in the Swedish Population Register. This category of Ukrainians has gained full access to social security benefits, just like other residents. From 1 November 2024, the Government decided to lower the time requirement to one year and this category of BoTP, who was able to register in the Swedish Population Register after one year, gained limited access to social security benefits. This excludes, for example, child benefits, housing benefits,

[41] The Swedish Migration Agency: Financial aid for people with temporary protection under the Temporary Protection Directive – Swedish Migration Agency, last accessed on 20 March 2025.
[42] Tyldum, G., Kjeöy, I. & Lillevik, R. Different policies, different outcomes. The reception of Ukrainian refugees in Sweden and Norway. (Fafo, 2023). 967-second-edition.pdf, last accessed on 6 November 2024.
[43] International Organization for Migration, 'Ukrainians and third-country nationals under temporary protection in Sweden', 2024, DTM2024_Ukraine Resp_Temporary Protection Holders in Sweden_ENG, last accessed on 20 March 2025.
[44] UNHCR, 'If you really want to stay, you will do whatever it takes – Dialogue with refugees from Ukraine in the Nordic countries', 2023, 2023-Dialogues-with-Refugees-print.pdf, last accessed on 20 March 2025.
[45] Tyldum, G., Kjeöy, I. & Lillevik, R. Different policies, different outcomes. The reception of Ukrainian refugees in Sweden and Norway. (Fafo, 2023). 967-second-edition.pdf, last accessed on 6 November 2024.

support for the elderly, and support under the Act on Support and Service for Certain Disabled Persons (LSS).[46] BoTP who arrive after this new decision takes effect will have to wait for 12 months until they can gain limited access to social security benefits, and in the meantime, they will have rights as asylum seekers. Despite the positive effect of this decision, which provided an opportunity to be registered in the Swedish Population Register, it was criticised for restricting social rights and to create a bureaucratic burden for public and municipal authorities.[47]

5. Vulnerable Groups

5.1 Support for vulnerable groups and children

While the TPD does not define vulnerable individuals, the EMN Glossary derives its definition from Article 21 of Directive 2013/33/EU (Recast Reception Conditions Directive). Vulnerable persons are identified as: "minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of trafficking in human beings, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation".

Sweden has indicated challenges to identify vulnerable BoTP. People that register for temporary protection in Sweden could inform the Swedish Migration Agency about any special needs, even though a specific identification mechanism for disabilities is not in place and the Swedish Migration Agency does not ask directly in the application form about disabilities or health issues. A significant issue is that accommodations were not typically provided by the Swedish Migration Agency, but rather by municipalities or private residences. This arrangement limited direct contact with individuals, and thereby reduced opportunities to identify those who may be vulnerable and who might not have informed the Swedish Migration Agency of their circumstances. The application process was largely conducted online, and the determination process for residence permit was fast. While all applicants received an appointment for biometric collection, these meetings focused exclusively on the process, with no additional interviews typically conducted during the processing of the applications. Vulnerable individuals could also have been identified through their interactions with municipalities, but these interactions were often minimal. Additionally, health checks could reveal vulnerabilities; however, participation in these checks were voluntary. The Swedish Migration Agency has issued instructions to promote increased in-person consultations and meetings, as well as enhanced follow-ups and documentation when vulnerabilities have been indicated. New operational instructions have been implemented to encourage effective practices related to assisted or adapted accommodations.[48]

[46] The Swedish Government, Bill Förbättrade levnadsvillkor för utlänningar med tillfälligt skydd, last accessed on 20 March 2025.
[47] See for example Zotéeva, A. Skrota lagförslag som gäller ukrainare. *Svenska Dagsbladet*. (31 juli 2024), Anna Zotéeva: Skrota lagförslag som gäller ukrainare, last accessed on 20 March 2025. Svenska Röda Korset. 'Ny lag om förbättrade levnadsvillkor för utlänningar med tillfälligt skydd', Ny lag om förbättrade levnadsvillkor för utlänningar med tillfäll, last accessed on 20 March 2025.
[48] EUAA, 'Displaced Ukrainians with Disabilities Seeking Temporary Protection in Europe', 18 January 2024, Displaced Ukrainians with Disabilities Seeking Temporary

Concerning children arriving in Sweden, the Swedish Migration Agency received documentation regarding the structure of Ukrainian custody papers. By analysing these documents, authorities determined whether a child was classified as unaccompanied. If classified as unaccompanied, the child was assigned to a municipality – typically the same one where the accompanying adult had chosen to reside – following an assessment made by the social services to establish if the child could live with or near the adult. If the custody documents designated the adult as the guardian, the child was permitted to accompany the adult to their chosen accommodation.

Challenges primarily arose at the municipal level, particularly when unaccompanied children were placed with a connected adult. There have been instances where the adult relocated with the child without notifying either the municipality or the Swedish Migration Agency, leaving authorities unaware of the child's new place of residence. The Swedish Migration Agency has also observed a rising number of abandoned children, cases where a guardian has left the child with another adult and subsequently departed the country without informing the Swedish Migration Agency or social services, resulting in delays or failures in providing necessary interventions for the child.

Moreover, the Swedish Migration Agency noted that not all municipalities appoint guardians for Ukrainian unaccompanied children placed with a connected adult, often justifying this by asserting that the adult is providing adequate supervision. However, this situation may compromise the child's best interests, as the adult might prioritize their own and their own family's interests first.

In Sweden, the care and placement of unaccompanied children is the responsibility of social services. If a child has been considered unaccompanied, the Swedish Migration Agency should report the concern to the social health and welfare committee in the municipality of arrival. Unaccompanied children are assigned to municipalities, and this applies collectively to groups of minors who are kept together based on their connections to one another or to accompanying adults. Municipal authorities then determine the appropriate care arrangements for each child according to the Social Services Act, which may involve placements in family homes or HVB homes (homes for care or accommodation). In total, there were 771 applications for temporary protection registered for unaccompanied minors in 2022 and 39 in 2023.[49]

For minors under institutional care, the Swedish Migration Agency contacts the Swedish Social Services to secure for the wellbeing of the disabled child. Early on in the process, the Swedish Migration Agency focused on the determination of whether the children were unaccompanied minors or under the responsibility of a legally-appointed guardian (a physical person or a judicial entity as an institution) since different procedures would apply. The child's access to healthcare was not

Protection in Europe, Situational Update No 20 | European Union Agency for Asylum, last accessed on 20 March 2025.

[49] FRA, 'Grundläggande rättigheter för barn på flykt inom EU till följd av det ryska anfallskriget', Juni 2023, Microsoft Word - Country research Bulletin # 3 Fundamental rights of children displaced in the EU following the Russian war of aggression Sweden_SE, last accessed on 20 March 2025.

affected by nationality, residence permit, disability or if accompanied by a parent or a legal guardian.[50]

Swedish civil society organisations have expressed concern that the screening of children's vulnerability, to identify special needs and support, have not been carried out for children covered by the TPD. It has been identified that many children who arrived in Sweden from Ukraine needed some form of trauma treatment. As psychiatric care in Sweden was already under great pressure, it has been a concern that children fleeing the war in Ukraine have not received the psychiatric treatment they needed in time.[51]

5.2 Prevention of human trafficking

Identifying victims of trafficking and referring them to the appropriate authorities remained challenging for the Swedish Migration Agency. The Swedish Migration Agency has published information from the Swedish Gender Equality Agency regarding risk factors and victims' rights in English, Ukrainian, and Russian.

A prominent challenge for the Swedish Migration Agency in identifying victims of human trafficking among BoTP has been the greatly simplified processing regime. The reliance on written applications makes it considerably more challenging to identify victims. Additionally, Ukrainian women identified by the Swedish Police Authority and/or social services often have not had any contact with the Swedish Migration Agency. As a result, their stay in Sweden may be regarded as illegal, and many are hesitant or unable to seek assistance.

The application process has been adjusted to allow the Swedish Migration Agency to conduct oral interviews when there are indications of trafficking. The authorities have collaborated to combat the exploitation of Ukrainian women for sexual purposes. The Swedish Gender Equality Agency have regularly convened relevant authorities in order to review the situation and to facilitate the sharing of pertinent trends. There has also been extensive cooperation focused on labour exploitation as part of the government initiative against labour market crime.

6. Conclusions

This report represents Sweden's contribution to the 2023 EMN study *Application of the Temporary Protection Directive: challenges and good practices in 2023*, which was produced by EMN Member and Observer Countries. This national contribution was made by the Swedish National Contact Point of the European Migration Network (EMN). Although the 2023 EMN study covered the period from 1 January 2023 to 1 July 2023, the national report has been extended to cover November 2024. This extension was made in order to provide a more comprehensive overview of the application of the TPD in Sweden.

[50] EUAA, 'Displaced Ukrainians with Disabilities Seeking Temporary Protection in Europe', 18 January 2024, Displaced Ukrainians with Disabilities Seeking Temporary Protection in Europe, Situational Update No 20 | European Union Agency for Asylum, last accessed on 20 March 2025.
[51] UNICEF, 'Appendix 2, Report on reception of refugees from Ukraine', 2022, Bilaga UKRAINA.indd, last accessed on 20 March 2025.

Since the implementation of the TPD in Sweden, no significant changes had been made until the summer of 2024. In July 2024, the Swedish Government decided to allow BoTP who had been granted temporary protection in Sweden for two years to register in the Swedish Population Register and from 1 November 2024 the time requirement was lowered to one year. This has expanded BoPT's access to rights, such as healthcare, education, labour market integration programmes, social security benefits, and more.

On 25 June 2024, the Council of the European Union extended the temporary protection period until 4 March 2026. While the extension of the TPD has ensured continued protection for BoTP, uncertainties remain regarding their legal status once the TPD expires in 2026. The Swedish Government has not yet proposed any national course of action after the TPD expires.

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About the EMN

The European Migration Network (EMN) is an EU funded network, set up with the aim of providing up-to-date, objective, reliable and comparable information on migration and asylum for institutions of the European Union, plus authorities and institutions of the Member States of the EU, in order to inform policymaking. The EMN also serves to provide the wider public with such information. The EMN was established by Council Decision 2008/381/EC adopted on 14 May 2008. The Swedish Migration Board is the Swedish National Contact Point (NCP) for the EMN.

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