

Overview of national measures regarding employment and social security of displaced persons coming from Ukraine

Country Fiche – Sweden
July 2022

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Information provided in this fiche considers legal and policy developments up to 8 July 2022.

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1.0 Legal and institutional framework

1.1 Legal framework

1.1.1 List of the legal framework

- I. Legislation implementing the Temporary Protection Directive (TPD or the Directive)¹ and Council Implementing Decision (EU) 2022/382²

[Aliens act \(2005:716\)](#)

[Aliens regulation \(2006:97\)](#)

- II. Legislation having an impact on the (access to) (self-)employment and social security/welfare for the displaced persons coming from Ukraine

Access to employment:

Chapter 21 Section 7 of the [Aliens act \(2005:716\)](#) states that a person who is granted a residence permit with temporary protection shall be granted a work permit valid for the entire period of temporary protection.

Social security:

- ▶ the [Social Insurance Code \(2010:110\)](#).

Social welfare:

- ▶ [Act on reception of asylum seekers among others \(1994:371\)](#)
- ▶ [Regulation on the reception of asylum seekers among others \(1994:361\)](#)
- ▶ [Act \(2008:344\) on healthcare for asylum seekers and others](#)

1.1.2 Beneficiaries (persons covered by temporary protection)

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
Ukrainian nationals ▶ residing in Ukraine	Yes

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, 7 August 2001, p. 12-23, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32001L0055>.

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, OJ L 71, 4 March 2022, p. 1-6, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32022D0382>.

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<ul style="list-style-type: none"> ▶ displaced from 24 February 2022 	
<p>Family members</p> <ul style="list-style-type: none"> ▶ of a Ukrainian national present or residing in Ukraine before 24 February 2022 and displaced from Ukraine on or after 24 February 2022 ▶ of third-country nationals and stateless persons, who benefited from international protection or equivalent national protection in Ukraine before 24 February 2022 and were displaced from Ukraine on or after 24 February 2022 	<p>Yes</p> <p>According to Chapter 21 Section 4 of the Aliens Act (2005:716), if a residence permit with temporary protection has been given to a person, such a permit may also be given to:</p> <ul style="list-style-type: none"> ▶ the person who is the spouse or cohabiting partner of that person; ▶ an alien who is unmarried and who is a child either of the person who has been granted a permit or the person who is the spouse or cohabiting partner of the person who has been granted a permit; and ▶ an alien who is a parent of an unmarried alien child if the child arrived in Sweden separately from both parents or from another adult person who may be regarded as having taken the place of the parents, or if the child has been alone after arrival. <p>An alien may only be refused a residence permit on the grounds of family reunification if there are exceptional grounds on account of national security or the alien’s previous criminal activity.</p> <p>It should be noted that Sweden has not transposed the passage in Article 15(1) of the Temporary Protection Directive ‘where families already existed in the country of origin and were separated due to circumstances surrounding the mass influx’. Hence, the domestic legislation in Sweden concerning family reunification is considerably more favourable than what is required by the Directive.</p>
<p>Third-country nationals and stateless persons beneficiaries of international or equivalent national protection in Ukraine until 24 February 2022</p>	<p>Yes</p>
<p>Stateless persons and nationals of third countries, legally residing in Ukraine before 24 February 2022 on the basis of a valid permanent resident permit and unable to return in safe and durable conditions to their country or region of origin</p>	<p>Yes</p>

Type of beneficiary	National regime of temporary protection for displaced persons coming from Ukraine
<p>Other persons who are displaced for the same reasons and from the same country of region of origin (Article 7(1) of TPD), including</p> <ul style="list-style-type: none"> ▶ stateless persons and ▶ nationals of third countries other than Ukraine, <p>who are residing legally in Ukraine and who are unable to return in safe and durable conditions to their country or region of origin (Article 2(3) Council Decision).</p>	<p>Yes</p> <p>According to Chapter 21 Section 3 of the Aliens Act (2005:716), the Swedish Government may issue a regulation prescribing that additional categories of displaced persons, beyond those covered by the decision of the Council of the European Union, may be given residence permits with temporary protection if these persons have been displaced for the same reasons and from the same country or region of origin.</p> <p>The Government has decided that the group of people who is entitled to a residence permit with temporary protection in Sweden will be extended to include those who left Ukraine prior to the invasion (Chapter 4 Section 19(h) of the Aliens regulation (2006:97). This applies to those who travelled to and stayed in Sweden between 30 October 2021 and 23 February 2022.</p>
Any additional category of beneficiaries (i.e. persons who arrived from UA before 24 February 2022)	Yes

1.2 Institutional framework

- a) National competent authority(ies) providing assistance to the persons enjoying temporary (or adequate) protection coming from Ukraine.

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
General (including status change in question 2)	The Swedish Migration Agency	Migrationsverket	https://www.migrationsverket.se
Employment rights	The Swedish Migration Agency Swedish Public Employment Service (responsible for the public employment service in Sweden and	Migrationsverket Arbetsförmedlingen	https://www.migrationsverket.se https://arbetsformedlingen.se/

Scope of work	Name of the authority (in EN)	Name of the authority (in national language)	Hyperlink
	the implementation of labour market policies) Swedish Council for Higher Education (UHR)		
Social welfare and social security rights	The Swedish Migration Agency Note: In Sweden, 290 municipalities are responsible for social welfare. The Migration Agency, however, has the main responsibility according to the Act on the reception of asylum seekers among others (1994:137) for persons enjoying temporary protection (except for providing housing; see section 4.1 below). Social Insurance Agency (responsible for social security rights)	Migrationsverket Försäkringskassan	https://www.migrationsverket.se https://www.forsakringskassan.se

- b) Existence of a mechanism in place to coordinate the work of these national authorities with respect to persons enjoying temporary (or adequate) protection coming from Ukraine.

No such a mechanism exists.

2.0 Possibility of changing the status

- a) Difference between temporary protection status and other forms of adequate protection³ under national law, in respect of third country nationals and stateless persons coming from Ukraine.

Persons with a permit for temporary protection have the same rights as asylum seekers. This means that they have the right to access education (for children), the right to work, the right to urgent health care and certain financial support if needed (Act on the reception of asylum seekers among others (1994:137)).

- b) Possibility to file status change inside the territory without the requirement for the person to first leave the country or return to Ukraine from temporary protection or other forms of adequate protection to employment-based residence permit during the temporary protection regime and at the end of this regime (e.g. single permit for work, EU Blue Card for highly-qualified workers, seasonal workers, family reunification).

When the period of temporary protection has come to an end, the formerly temporary protected may apply for a residence permit on any ground laid down in the [Aliens Act \(2005:716\)](#). However, as a principal rule (cf. Chapter 5 Section 18 of the [Aliens Act \(2005:716\)](#)) the person must have applied for and been granted a permit before entering the territory of Sweden i.e. an application for a residence permit may not be approved after entry. There are exceptions to this rule; for example, the alien is entitled to a residence permit in Sweden as a refugee, a person otherwise in need of protection (subsidiary protection), if there are particular compassionate grounds allowing the person to stay in Sweden or in cases of family reunification if it cannot reasonably be required that the alien should travel to another country in order to submit the application, or, if there are other exceptional grounds. In these cases, the person may apply for and await the decision in Sweden.

[According to the Swedish Refugee Law Centre](#), the Swedish Migration Agency has said – when the permit according to the Directive expires – that it will be possible to apply for a residence permit for other reasons if the temporary protection is not to be extended: work permit, EU Blue Card, seasonal workers and family reunification. However, it is not certain that permission will be granted from within Sweden.

- c) Relevant national legislation on changing the status (including the procedure to be followed).

³ 'Adequate protection' under national law is referred to in Article 2(2) of the Council Decision as a possible alternative that may be offered by Member States to temporary protection and therefore does not have to entail benefits identical to those attached to temporary protection as provided for in Directive 2001/55/EC. Nevertheless, when implementing the Council Decision, Member States must respect the Charter of fundamental rights of the European Union and the spirit of Directive 2001/55/EC. The respect for human dignity and therefore a dignified standard of living (such as residency rights, access to means of subsistence and accommodation, emergency care and adequate care for minors) has to be ensured in respect of everyone.

Status change from temporary protection to work permit, EU Blue Card, seasonal workers and family reunification:

The conditions set in the legislation to apply for such a status change while remaining in the country:

An application may be done online at the website of the Swedish Migration Board.

Work permit

Conditions according to Chapter 6 Section 2 of the [Aliens Act \(2005:716\)](#):

- ▶ having an employment contract;
- ▶ having a valid passport;
- ▶ having an employment with terms of employment that are at least on par with those set by Swedish collective agreements or which are customary within the occupation or industry;
- ▶ having a salary that is at least on par with that set by Swedish collective agreements or which is customary within the occupation or industry;
- ▶ having an employment that will enable you to support yourself;
- ▶ having an employer who provides insurance covering health, life, employment and pension.

They may apply for an extension while in Sweden.

Blue Card

Conditions according to Chapter 6 a Section 1 of the [Aliens Act \(2005:716\)](#):

- ▶ having a valid passport;
- ▶ having the equivalent of 180 credits of tertiary education or five years of relevant professional experience;
- ▶ having or have applied for comprehensive health insurance that is valid for care in Sweden (the health insurance should cover the first three months in Sweden);
- ▶ having been offered a highly qualified work that lasts for at least one year;
- ▶ having a salary that is at least one and a half times bigger than an average salary in Sweden;
- ▶ offering conditions of employment that are at least at the same level as Swedish collective agreements or what is customary in the profession or industry.

They may apply for an extension while in Sweden.

Work permit for seasonal workers

Conditions according to Chapter 6 c Sections 2-6 of the [Aliens Act \(2005:716\)](#):

- ▶ having a valid passport;
- ▶ having been offered temporary employment as a seasonal worker by an employer established in Sweden;
- ▶ having access to accommodation of an appropriate standard;
- ▶ having taken out or applied for comprehensive health insurance for healthcare in Sweden (health insurance

must be valid for the full duration of the stay);

- ▶ being qualified to practise in Sweden if the work is within a regulated profession;
- ▶ intending to leave Sweden when the permit expires.

The permit must be applied for and approved before entering Sweden (Chapter 6 c Section 7 of the Aliens Act).

Family reunification

Conditions according to Chapter 5 Sections 3-3g of the [Aliens Act \(2005:716\)](#):

- ▶ must have an income that can cover the cost of housing and living expenses for yourself and your family members (maintenance requirement).

The maintenance requirement only needs to be met the first time family members apply for a residence permit. Neither it is applicable if it is a child or an EU-citizen, EEs-citizen or Swiss citizen.

Any difference in admission criteria and conditions between first time applicant and when applying for a change of status:

No difference in admission criteria and conditions.

Any alteration of rights with respect to

<p>residence:</p> <p>If the person is granted a work permit for a period of time less than one year, she or he will not be registered in the Swedish population register. Residence registration is a condition to have right to health care and social welfare (Section 3 of the Population Register Act (1991:453).</p>	<p>employment rights:</p> <p>Working in Sweden – the person has rights to employment rights</p>	<p>social welfare and social security rights:</p> <p>Anyone working in Sweden is entitled to work-based social security benefits (see below 4)</p> <p>To be eligible to residence -based benefits the person must have the intention to stay in Sweden for more than one year (Social Insurance Code, chap. 5, sec. 3) If the person has a work permit for less than a year she or he will not have rights to social security.</p> <p>If the person is granted a work permit for a period less than one year, she or he will not be registered in the Swedish population register and will not have rights to social welfare.</p>
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- d) Measures aiming to preclude registration of displaced persons in more than one Member State/EEA-EFTA country (see Article 26 of the Temporary Protection Directive).

According to Chapter 21 Section 8 of the [Aliens Act \(2005:716\)](#), the residence permit shall expire upon the transfer of the temporary protected person.

Moreover, the benefits provided under the Act on the reception of asylum seekers among others are provided as long as the temporary protected person is in Sweden ([see also the webpage of the Migration Agency](#)).

3.0 Access to labour market (Article 12 of the Temporary Protection Directive)

- a) Overview on how equal treatment on the labour market as regards working conditions is ensured for persons enjoying temporary (or adequate) protection from Ukraine.

Minimum wages, insurance and certain terms of employment are covered in collective agreements between the employers represented by employer organisations and the employees represented by the unions. The collective agreements are applicable also to the temporary protected who are working.

- b) Conditions applicable to persons enjoying temporary (or adequate) protection from Ukraine, (including the procedure to be followed):
- I. The conditions regulating work permits/work authorisation, if required

After the Migration Agency has decided to grant residence permit with temporary protection, the beneficiary will receive a [residence permit card \(UT card\)](#) as proof of the residence permit. Chapter 21 Section 7 of the [Aliens Act \(2005:716\)](#) states that a person who is granted a residence permit with temporary protection shall be granted a work permit valid for the entire period of temporary protection.

- II. Recognition of qualifications/diplomas

The Swedish Council for Higher Education (UHR) is the public authority responsible for admission to higher education and the recognition of foreign qualifications. Some professions (around 60) are regulated by legislation that defines the requirements for working within that profession, e.g. a particular qualification or authorisation, or other formal recognition. Each profession has its particular qualifications.

[The website of UHR contains information for persons from Ukraine.](#) On the website there is a Qualifications Assessment Tool to quickly get a comparison of the foreign qualification to a Swedish qualification. The person can then download a PDF document to take with her or him at job interviews.

On 16 June 2022, the Government instructed Stockholm University (after a request from Ukraine) to conduct examinations for the admission to Ukrainian higher education. The assignment includes providing premises and test guards, carrying out the checks that are necessary to identify the test participants, pass on the results and other similar and necessary measures.

- III. Eligibility to receive assistance for job seekers (e.g., career counselling, skills assessment, locating appropriate job openings, etc.)

The [website](#) of the Swedish Public Employment Service contains information for Ukraine persons looking for work.

In order to obtain such assistance, displaced persons from Ukraine must register with the Swedish Public Employment Service. When registering, such persons must present a valid proof of identity such as a passport, and the residence permit received from the Swedish Migration Agency as well as a coordination number from the Tax Agency (*Skatteverket*). A coordination number is an identification for people who are not registered as living in Sweden (Section 18 of the Population Register Act).

When displaced persons are registered, they will be offered a planning discussion with an employment officer (in English or with an interpreter if necessary). It has been reported that it is very difficult for Ukraine persons to have a Ukraine interpreter. Some persons have been offered to have a Russian interpreter. In the planning discussion it will be decided what kind of support for job seeking is needed or whether displaced persons can apply for work by themselves.

IV. Availability of vocational training/educational opportunities for adults/practical workplace experience.

Vocational introduction employment can be for at least six months and up to 12 months. The condition is that the employer has a collective agreement and a vocational introduction agreement for the industry

V. Any exceptions to the general law in force in the country applicable to remuneration and other conditions of (self-) employment

N/A

4.0 Social security, social welfare and means of subsistence assistance, as well as medical care (Article 13 of the Temporary Protection Directive)

I. Types of benefits with description and coverage

Social security:

Swedish social security benefits are either residence-based, or work-based. To be eligible for residence-based benefits, the person must be considered as resident in Sweden. Chapter 5 Section 4 of the [Social Insurance Code](#) (2010:110) states that persons enjoying temporary protection can be considered resident after three years (cf. the situation for someone moving to Sweden – they are considered resident if the intention is to stay in Sweden for at least one year; according to Chapter 5 Section 3 of the Social Insurance Code). Displaced persons from Ukraine are not registered and do not have access to residence-based social security.

Chapter 5 Section 9 of the [Social Insurance Code](#) lists residence-based social security benefits:

- ▶ Parental leave allowance,
- ▶ Child allowance,
- ▶ Maintenance allowance,
- ▶ Care allowance,
- ▶ Additional costs allowance,
- ▶ Car allowance,
- ▶ Additional costs allowance,
- ▶ Guarantee pension,
- ▶ Assistance benefit,
- ▶ Assistance benefit.

Anyone working in Sweden has access to work-based social-security benefits. This means that displaced persons from Ukraine who do not work do not have access to social security.

Chapter 6 Section 6 of the [Social Insurance Code](#) lists work-based benefits:

- ▶ Pregnancy allowance,
- ▶ Temporary parental allowance,
- ▶ Parental leave allowance,
- ▶ Sickness benefits,
- ▶ Rehabilitation benefit in the form of a rehabilitation allowance,
- ▶ Life annuity,
- ▶ Close relative's benefit,
- ▶ General old-age pension in the form of an income-based old-age pension,
- ▶ Survivor's allowance.

Social welfare:

Persons enjoying temporary protection will, for the first three years, receive the same benefits as asylum seekers (see Section 1 of the [Act on reception of asylum seekers among others \(1994:371\)](#). This includes a daily allowance and a special reimbursement in cases of a particular need (cf. Sections 13-19 and Section 4, 5, 6 and 7 in the [Regulation on the reception of asylum seekers and others \(1994:361\)](#)).

Furthermore, the persons concerned are also eligible for housing benefits. As of 1 July 2022, the municipalities are responsible (before it was the Migration Agency) for arranging housing for those people who have a residence permit under the Temporary Protection Directive and who currently live in one of the Swedish Migration Agency's accommodations (Sections 3 and 3b of the [Act on reception of asylum seekers among others \(1994:371\)](#)). This only applies to those who have been granted a residence permit and who have received

the Swedish Migration Agency's help with housing. The municipality is not responsible for arranging housing for those who have not themselves asked the Swedish Migration Agency for help with a place to live.

In order for all of Sweden's 290 municipalities to share responsibility, many people who currently live in housing provided by the Swedish Migration Agency will need to move from a municipality where many people with residence permits live according to the Temporary Protection Directive, to a municipality where fewer people live.

As for medical care, [Act \(2008:344\) on healthcare for asylum seekers and others](#) states that there is a right to urgent health care. Once such persons have received residence permit under the Temporary Protection Directive, a free health exam is offered. The fees for healthcare for those who have protection under the Temporary Protection Directive are listed [here](#). Types of benefits:

- ▶ obstetric care,
- ▶ abortion care,
- ▶ contraceptive counselling,
- ▶ maternal health care, and
- ▶ care provided under the Communicable Diseases Act (a law intended to prevent the spread of infectious diseases).

II. Eligibility conditions

Social security:

According to Chapter 6 Section 6 of the [Social Insurance Code \(2010:110\)](#) anyone working in Sweden is eligible for work-based social security benefits. No special eligibility conditions for persons enjoying temporary protections with regard to work-based benefits.

Social welfare:

The beneficiary must fall under [the Act on reception of asylum seekers among others](#) and be present in Sweden.

- III. Any exceptions to the general law in force in the country to access to social security systems or social welfare system relating to employed or self-employed activities

N/A

5.0 Public support instruments

Overview of other public support instruments facilitating labour market participation, information about and enforcement of rights and entitlements for displaced persons.

[Informationsverige.se](#) is a website run by the County Administrative Boards that contains information about Sweden for asylum seekers and people who have recently been granted a residence permit.

Confederation of Swedish Enterprise (Svenskt näringsliv) is a non-profit association consisting of 50 industry and employer organisations. [The website](#) of the organisation has gathered information.

The websites of the [Migration Agency](#), the [Swedish Public Employment Service](#) as well as [the Swedish Tax Agency](#) contain information for employers. The website of the [Swedish Public Employment Service](#) contains information for Ukraine persons looking for work.

The website of the [Social Insurance Agency](#) contains information for displaced persons from Ukraine enjoying temporary protection, however, not in English.