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# Running from Asylum:

Unravelling the paradox of why some unaccompanied  
asylum-seeking children disappear from the system that is  
designed to protect them.

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## Abstract

Unaccompanied asylum-seeking children (UASC) disappearing from protection of the asylum system is a phenomenon that occurs around the world. Sweden is not immune to UASC disappearances, despite Swedish asylum laws and practices being based on the “Best Interests of the Child” (BIC). This study investigates the phenomenon from the perspective of stakeholders within the municipality of Malmö, Sweden, utilizing a constructivist grounded theory (CGT) approach. The aim of this study is to identify key paradoxical situations within the asylum system that may trigger disappearances, and to construct the theories surrounding this phenomenon from the data collected. The theories of governmentality, intersectionality and the post-Colonial theory of “othering” including “self-othering” were identified as valid concepts in regards to this phenomenon. This study also calls for further research into the field of unaccompanied migrant children including better documentation of these children who are both in and out of the asylum system.

Keywords: Unaccompanied Asylum-seeking Children, Intersectionality, Governmentality, Othering, Sweden

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## Abbreviations

BIC	Best interest of the Child
CAB	County Administrative Board
CGT	Constructivist grounded theory
CRC	Committee on the Rights of the Child
GT	Grounded theory
IMER	International Migration and Ethnic Relations
NGO	Non-Governmental Organisations
NHW	National Board of Health and Welfare
SMA	Swedish Migration Agency
UASC	Unaccompanied Asylum-seeking Children
UNCRC	United Nations Convention on the rights of the child
UNHCR	United Nations High Commissioner for Refugees

## 1. Introduction

*“The principle of association: constant conjunction of events follow from an underlying association; from this principle, and observed events, one may infer a causal association”<sup>1</sup>.*

The quote above resonates strongly with the global phenomenon of disappearing unaccompanied asylum-seeking children (UASC). The variety of lenses and perspectives hypothesised regarding the combination of events and factors that are thought to cause some UASC to disappear whilst others stay in the system have shown there is not one answer as to what causes this phenomenon. Therefore, this study is taking a constructivist grounded theory (CGT) approach to understand the theoretical lens from the viewpoints of stakeholders responsible for policies and care of UASC. The enigma surrounding this phenomenon is that these highly vulnerable children vanish at every stage of the asylum-seeking process, including at two key moments - directly after registering for asylum or just before the initial decision on their case is made. Disappearances, especially during these crucial stages, can seem counter-intuitive to many observers.

Growing numbers of unaccompanied children reported missing to authorities were highlighted by Europol and other agencies involved with defending the rights of children<sup>2</sup> in April 2016 briefings to European Union Members of Parliament. Despite this, there continues to be relatively limited media coverage on the extent of this phenomenon. The ambivalence of the media coverage of child disappearances extended throughout the peak and aftermath of the “refugee crisis”<sup>3</sup> in 2015. This continued even after the announcement from Europol<sup>4</sup> in January 2016 that 10,000 children had been reported missing in Europe in 2015 with only a brief flurry of media outlets picking up this story at the time. Since then, reporting on this issue has only been intermittent.

Swedish statistics<sup>5</sup> of missing UASC contributed to the Europol figures, with reports of UASC missing in Sweden officially around four percent per year prior to 2015. Swedish reports<sup>6</sup> still cite disappearances being around four percent of all UASC after 2015, however given that 40 percent of all UASC registrations in Europe were lodged in Sweden during that peak year, the actual

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<sup>1</sup> Noah D. Goodman, Tomer D. Ullman, and Joshua B. Tenenbaum, “Learning a Theory of Causality,” *Psychological Review* 118, no. 1 (2011): 110–19, doi:10.1037/a0021336.

<sup>2</sup> “Fate of 10,000 Missing Refugee Children Debated in Civil Liberties Committee| European Parliament.”

<sup>3</sup> “2015: The Year of Europe’s Refugee Crisis,” *Tracks*, accessed April 20, 2017, <http://tracks.unhcr.org/2015/12/2015-the-year-of-europes-refugee-crisis/>.

<sup>4</sup> “Europol Estimates 10,000 Underage Refugee Children Have Gone Missing | European Council on Refugees and Exiles (ECRE).”

<sup>5</sup> Lost in migration, “Lost in migration,” text, accessed April 13, 2017, <http://www.lansstyrelsen.se:80/Stockholm/Sv/publikationer/2016/Pages/lost-in-migration.aspx>.

<sup>6</sup> Ibid.

number of missing UASC since 2015 is in the thousands. The Swedish Migration Agency (SMA), registered 35,369 UASC in 2015<sup>7</sup>, a number more than seven times higher than SMA UASC registrations in 2014<sup>8</sup>, which were already at a record high. Despite the introduction of border controls in January 2016 that have effectively reduced the number of registrations back to pre-2014 numbers, there continues to be a high number of UASC cases. Thousands of 2015 applications are still being processed within the framework of the system at the time of this study.

The Swedish government has formally acknowledged the phenomenon of disappearances and has invested in various research projects to try and understand why UASC disappear. This research includes a two year (2016-2018) nationwide “mapping” program<sup>9</sup>, coordinated by Länsstyrelsen, the County Administrative Board (CAB), of Stockholm. This CAB has been facilitating the information sharing between all the municipalities in Sweden to help the country better articulate how each of the 290 municipalities in Sweden have been dealing with the issues surrounding disappearing UASC. The outcome of this mapping exercise is thought to be crucial for stakeholders as it is not only highlighting risk factors that contribute to UASC disappearances, it is also providing recommendations for a more structured approach to help mitigate this growing issue<sup>10</sup>.

Whilst Government investment in research indicates attention to UASC issues, stakeholders believe that pending funding cuts coming into force in July 2017 will directly impact the care of UASC and in turn, effectively diminish the research being done. The reduction of Governmental funds for UASC in municipalities, six months before the mapping exercise is even complete, is already proving to exacerbate the known risk factors for UASC disappearances. The paradox is that it directly impacts the problem the Government purports to be endeavouring to resolve. This contradiction between stated concern and the actual levels of support towards UASC issues is not lost on stakeholders involved in the care of UASC. This example highlighted the need for further research, therefore this study will be investigating where there may be more paradoxical situations within the asylum system that may spur disappearances.

Ultimately, the key paradox for Sweden is that despite the State providing an asylum system that has been designed around the principle of the Best Interests of the Child (BIC)<sup>11</sup>, some children

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<sup>7</sup> “Statistics - Swedish Migration Agency,” text, accessed January 25, 2017, <http://www.migrationsverket.se/English/About-the-Migration-Agency/Facts-and-statistics-/Statistics.html>.

<sup>8</sup> Ibid.

<sup>9</sup> Lost in migration, “Lost in migration,” text, accessed April 13, 2017,

<http://www.lansstyrelsen.se:80/Stockholm/Sv/publikationer/2016/Pages/lost-in-migration.aspx>.

<sup>10</sup> Ibid. *pa-flykt-och-forsvunnen-sammanstallning-av-atgardsforslag.pdf* Accessed April 13, 2017

<sup>11</sup> United Nations High Commissioner for Refugees, “Refworld | UNHCR Guidelines on Determining the Best Interests of the Child,” *Refworld*, accessed April 14, 2017, <http://www.refworld.org/docid/48480c342.html>.

believe it is in their best interests *not* to be part of this system and simply disappear from it through “choice” or via coercion from others. An attempt to understand aspects of this disconnect between the system and the UASC is the inspiration for this paper.

### 1.1 Research problem, -aim and -question

*“(Dis) empowerment is a process in which people gain (or lose) the feeling (or idea) that they can influence their surroundings and the direction of events”.*<sup>12</sup>

The phenomenon of disappearing UASC have at times been attributed to individuals making a choice to change their surroundings or life direction, through their own volition or through coercion from others. Whilst widespread globally, it is still unclear as to why these disappearances occur in some places more often than in others, and why there is such ambivalence towards unaccompanied children making these independent life decisions. It is of special interest when this anomaly is observed within a single country, as theoretically all UASC in one country should be subject to the same laws, policies and practices. If this is the case, then why are disappearances more common in one area than in other areas of the same country? And why is it that not all UASC, with (or fear of) negative decisions, disappear?

The aim of this study is to highlight, from the perspectives of stakeholders in Malmö, what issues can be created when the procedural framework of the asylum system takes precedence over the individual needs of an UASC. The research questions are designed to understand where there may be disconnect between policy and practice and whether stakeholders perceive the paradoxical elements of the asylum framework to be disempowering for some UASC. Ultimately this study is to provide understanding how disconnect and disempowerment can lead to disengagement and ultimately disappearances of UASC.

Therefore, the research questions are:

- What are the key paradoxical situations created by elements of disconnect in the Swedish Asylum process?
- To what extent, and under what conditions, are these paradoxical situations disempowering UASC enough to trigger some UASC to disappear?

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<sup>12</sup> “(Dis)empowerment,” *Transformative Social Innovation Theory*, accessed April 21, 2017, <http://www.transitsocialinnovation.eu/theme/disempowerment>.



## 1.2 Scope and Delimitations of study

This study was conducted in the focus municipality of Malmö in southern Sweden during spring 2017. The scope was limited to the identification of the paradoxical situations within the institutional framework that surrounds the care of the UASC and stakeholder perspectives as to how these instances of disconnect affect UASC and their stability. The subject was explored through constructivist grounded theory (CGT), using methods designed to reflect the perceptions of key stakeholders and elicit construction of theories that may shed light onto why this phenomenon occurs. The main method involved conducting qualitative semi-structured interviews with expert stakeholders from Government and Non-Governmental Organisations (NGO's). Stakeholders were selected on the basis of their varied roles of responsibility for the care of UASC within Malmö. The timeframe stakeholders were asked about in interviews was 2015 to May 2017.

Due to the restricted length of this paper, all descriptions are at a high level. Issues that are related and mentioned briefly in the study, but not delved into due to the narrow scope, are outlined in the suggestions for further research in chapter eight. The lengthy transcripts of the twelve interviews and related memos are not attached to this paper for practical reasons however they are available on request if required<sup>13</sup>.

## 1.3 Disposition

In the first chapter, the introduction to the subject area, research problem, aim and questions have been outlined, as well as the scope and delimitations. Chapter two provides some background including the relevance of this study, the definition of UASC, along with specific Swedish context such as demographics of UASC in Sweden, along with the institutional frameworks of law and practice in Sweden. Chapter three explains the research design and methods for coding and analysis of interviews. Chapter four outlines the results of the interviews. Chapter five analyses and discusses how the theories were constructed from the interviews, juxtaposing previous research to help understand the rationale for the theories. Chapter six provides a summary of the discussion. Lastly, chapter seven outlines the conclusion of the study in its entirety and chapter eight re-iterates possibilities for future research in the area. Chapter nine provides the list of references used.

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<sup>13</sup> Each interview transcript is over five pages long with lengthy memos reflecting on interviews, therefore not added to this paper. There were twelve interviews conducted and if you would like access to all or any interview or memo transcript, email me at [suzanne.snowden@hotmail.co.uk](mailto:suzanne.snowden@hotmail.co.uk) and I am happy to provide you with a copy along with any further information about this study.

## 2. Background

### 2.1 Relevance of this study

As highlighted in the introduction, this topic is of great importance to the field of International Migration and Ethnic Relations (IMER) as UASC are the most vulnerable of all asylum seekers. Asylum systems around the world are letting these children slip between the cracks without the same level of care as there would be for native-born children, as described in chapters four and five. The SMA<sup>14</sup> states there are still a large number of 2015 UASC applications being processed at the time of this research from the record 35,369 UASC arrivals. Whilst the average processing time is normally aimed at three to six months, due to increased numbers the processing time has been well in excess of twelve to eighteen months for many. Previous research in Sweden by Jan-Paul Brekke<sup>15</sup> has highlighted that long waiting times are a recognized factor that can spur disappearances. Delays in final decisions due to the large number of applications have also resulted in a lot of UASC still in limbo about their future. The risk factors surrounding disappearing UASC, and the need to mitigate these risks, have been acknowledged by all stakeholders in this field. Despite this, the Government is still making policy changes and cutting funds during a time that is still crucial for UASC still in the system either awaiting a decision or waiting for deportation once they turn eighteen. The impact of the lengthy waiting period combined with tighter policy and funding changes have huge implications for both municipalities and UASC at risk of disappearing.

It is important to note at this juncture that an even more serious issue is taking precedence over the UASC disappearances. Incidences of UASC self-harming, including attempting - or committing - suicide are escalating due to UASC dreading reaching their eighteenth birthday before a decision is made, resulting in them losing the UASC protection. Self-harming during the asylum process will not be addressed within this paper, however, the analysis of this study suggests that the same disempowering aspects that cause disappearances can also cause self-harming. Therefore, highlighting the issues surrounding this UASC phenomenon is important for UASC stability and their mental health.

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<sup>14</sup> “Statistics - Swedish Migration Agency.”

<sup>15</sup> “2004:010 While We Are Waiting / 2004 / Reports / Publications / Socialresearch.no - Institutt for Samfunnsforskning (ISF).”

## 2.2 Definition of UASC

Unaccompanied children within a migration context are defined by the United Nations High Commissioner for Refugees (UNHCR) as “a person who is under the age of eighteen (...) and who is separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so”<sup>16</sup>. An UASC is an unaccompanied child who has formally applied for asylum or protection in the receiving State “but whose application has not yet been considered”<sup>17</sup>. A high-level overview of how the framework of the Swedish asylum process for UASC is outlined in 2.4 below.

## 2.3 Demographics of UASC in Sweden

Unaccompanied children who come to Sweden are in need of protection, with the majority being refugees. UASC arrive in a few key places in Sweden such as Trelleborg, Gothenburg, Stockholm and Malmö. Malmö is across the bridge from Denmark and was a busy arrival point by train in 2015, hence its selection for this study. Whilst statistics on method of arrival are not available, according to stakeholders interviewed some UASC state they were assisted by human smugglers who helped with transportation.

UASC in Sweden come from a multitude of countries, however, there are eight countries of origin that represent the largest number of UASC applicants. These are Syria, Afghanistan, Morocco, Algeria, Somalia, Eritrea, Iraq and Ethiopia. The only granular statistics available from SMA<sup>18</sup> at the time of this study were from 2015, however between these and preliminary findings from the mapping exercise<sup>19</sup>, I was able to gain statistics providing a profile of UASC most at risk of disappearing.

According to the SMA, municipalities around Sweden received 35,369 UASC in 2015 alone, ninety percent of which were boys between the ages of thirteen to eighteen. Accordingly, the highest percentage of disappearing UASC were males over sixteen years of age (ninety-three percent). Approximately 25,000 UASC in 2015 were from Afghanistan (sixty-six percent of all UASC registrations that year). This was the steepest group increase in asylum seekers during that

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<sup>16</sup> “UNHCR - The UN Refugee Agency,” accessed April 17, 2017, <http://www.unhcr.org/3d4f91cf4.pdf>

<sup>17</sup> Regeringen och Regeringskansliet, “Government.se,” Text, *Regeringskansliet*, (March 25, 2014), <http://www.government.se/>.

<sup>18</sup> “Statistics - Swedish Migration Agency.”

<sup>19</sup> Lost in migration, “Lost in migration,” text, accessed April 13, 2017, <http://www.lansstyrelsen.se:80/Stockholm/Sv/publikationer/2016/Pages/lost-in-migration.aspx>.

year and not surprisingly, the group with the largest number of disappearing UASC<sup>20</sup>. In saying that, the actual percentage of Afghan disappearances was twenty-two percent compared to the twenty-six percent of Moroccan UASC that were reported missing.<sup>21</sup> Chapter five will highlight the theory constructed from the research as to why different groups of UASC are more likely to disappear than others.

It is important to note that all unaccompanied children are at great risk of disappearing. This study only focuses on UASC in Sweden as it is generally only for this subset of unaccompanied children that reports are made and statistics recorded. This is due to UASC being registered with the SMA and therefore part of a formalised system. However, as highlighted in the results of interviews in chapter four, and in the subsequent discussion, stakeholders outlined reasons as to why available documentation can be inadequate, inaccurate or missing due to inconsistent practices across Sweden. Whether formally registered as an asylum seeker or not, disappearances of unaccompanied children at every stage of migration is widespread. Regardless of whether a child disappears of their own volition or through coercion from others, there are ramifications for both the child and society as a whole, and more research is needed on this and the wider issues that are alluded to within this paper but not addressed further.

## 2.4 High level overview of Swedish Asylum System

Given the restricted length of this paper, only the relevant aspects of this complex asylum system will be outlined briefly at a high level.

### 2.4.1 Laws

The relevant international laws that are reflected in the Swedish laws include the 1951 Convention relating to the Status of Refugees and the 1967 protocol<sup>22</sup> combined with the United Nations Convention on the Rights of the Child (UNCRC)<sup>23</sup> that gives even greater protection for children. The UNCRC “applies to all children without discrimination, including child refugees and

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<sup>20</sup> Lost in migration, “Lost in migration,” text, accessed April 13, 2017, <http://www.lansstyrelsen.se:80/Stockholm/Sv/publikationer/2016/Pages/lost-in-migration.aspx>.

<sup>21</sup> “Statistics - Swedish Migration Agency.” (The number of Moroccans registered with SMA in 2015 was 403)

<sup>22</sup> United Nations High Commissioner for Refugees, “Refugee Protection: A Guide to International Refugee Law (Handbook for Parliamentarians),” *UNHCR*, p.9, accessed April 24, 2017, <http://www.unhcr.org/publications/legal/3d4aba564/refugee-protection-guide-international-refugee-law-handbook-parliamentarians.html>.

<sup>23</sup> “OHCHR | Convention on the Rights of the Child.” <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

asylum-seekers, specifically stipulating that every child seeking refugee status has a right to protection and humanitarian assistance in the enjoyment of the rights set forth in that Convention and in others to which the State is a party”<sup>24</sup>. Article 3 of UNCRC<sup>25</sup>, which is the Best Interests of the Child (BIC), is incorporated into all Swedish laws and policies including the Swedish Aliens Act<sup>26</sup>, most significantly Section 10 “in cases involving a child, particular attention must be given to what is required with regard to the child’s health and development and the best interests of the child in general”<sup>27</sup> and Section 11 “in assessing questions of permits under this Act when a child will be affected by a decision in the case, the child must be heard, unless this is inappropriate. Account must be taken of what the child has said to the extent warranted by the age and maturity of the child”<sup>28</sup>. The BIC also defines that during the asylum-seeking process, the best interests of the UASC “must be a primary (but not the sole) consideration for all other actions affecting children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies”<sup>29</sup>. Municipalities are supervised by the National Board of Health and Welfare (NHW) and are bound by the Social Services Act<sup>30</sup> which also incorporates BIC.

In January 2015, the Committee on the Rights of the Child (CRC) had criticisms about Sweden’s implementation of the provisions of the UNCRC. They noted that “the principle of BIC was not well understood by the legislators and the judiciary” and that “sometimes migrant children were dealt with differently and the aim must be to provide them with equal treatment”<sup>31</sup>. Sweden is in the process of embedding the UNCRC fully into its national laws, however, until this has been completed, “Swedish law should be interpreted as far as possible so that it complies with the UNCRC.”<sup>32</sup>

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<sup>24</sup> “Convention on the Rights of the Child,” <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

<sup>25</sup> Ibid

<sup>26</sup> Regeringskansliet, “Aliens Act (2005.”

<sup>27</sup> [http://www.government.se/contentassets/784b3d7be3a54a0185f284bbb2683055/aliens-act-2005\\_716.pdf](http://www.government.se/contentassets/784b3d7be3a54a0185f284bbb2683055/aliens-act-2005_716.pdf)

<sup>28</sup> ibid

<sup>29</sup> Ibid.

<sup>30</sup> “The Social Services Act | Dinarattigheter,” accessed April 17, 2017, <https://dinarattigheter.se/en/your-rights/what-does-the-law-say/the-social-services-act%e2%80%a8/>.

<sup>31</sup> Regeringskansliet, [www.government.se/49d49e/globalassets/.../english-summary\\_sou2016\\_19.pdf](http://www.government.se/49d49e/globalassets/.../english-summary_sou2016_19.pdf)

<sup>32</sup> “UN Convention on the Rights of the Child (CRC) to Become Law in Sweden,” accessed April 17, 2017, <http://www.ten-law.net/un-convention-on-the-rights-of-the-child-crc-to-become-law-in-sweden/>.

#### 2.4.2 Mechanisms in place for reception of UASC

*“The principle of the best interests of the child involves establishing mechanisms to identify what is in his or her best interests, as part of a comprehensive child protection program aimed at strengthening the protection of children at risk”<sup>33</sup>*

To understand what mechanisms are in place, high level aspects of responsibilities of both the SMA and the municipalities in regards to UASC are described below.

The SMA is the executing authority that operates within the framework of laws designed to protect the UASC. The role of the SMA is purely bureaucratic. The responsibilities include conducting the registration, assigning a “godman (guardian)<sup>34</sup>, legal counsel and interpreter for each UASC as a priority to ensure the UASC is well represented and “their voice is heard” at all interviews conducted by the SMA. The SMA also provides funding for the UASC in the form of a daily allowance whilst they are in Sweden.

The SMA is responsible for all facets of the investigation of the case leading up to decision, including interviews with UASC (which involve Godman, Legal counsel and interpreter), coordinating age assessments (including organizing medical assessments of X-rays of wisdom teeth and knee joints), and also the task of tracing any relatives for reunification. The SMA hands down the decision for the UASC. If there is an appeal, it goes to the SMA for review in the first instance. If they believe the Migration Court should handle the appeal, the SMA then has no further involvement with the case. Any further appeals are passed on from the Migration Court to the Migration Court of Appeal. The responsibility for deportation is that of the Swedish Border Police. Therefore, the SMA is solely responsible for the bureaucratic and investigative aspects of the UASC application, from registration to decision. Whilst the SMA is responsible for assignation of each UASC to a Municipality directly after registration, including the transit accommodation en route, the day-to-day duty of care is the responsibility of the assigned Municipalities.

There is a complex network of stakeholders within each Municipality. This is designed to ensure a structured, consistent approach to all UASC issues including communications. The network of stakeholders interviewed in the municipality of Malmö meet regularly and the cohesion of this group was very apparent when interviewing individual stakeholders. Detailed reports on individual

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<sup>33</sup> UNHCR Guidelines on determining the best interests of the child (2008)

<sup>34</sup> “Regeringskansliets Rättsdatabaser.” English translation <https://www.global-regulation.com/translation/sweden/2988808/act-%25282005%253a429%2529-if-the-guardian-for-unaccompanied-children.html>

UASC are made by each stakeholder in regards to their interactions with UASC. However, there is no single repository of individual information of UASC shared between stakeholders due to ethical implications that are outlined in the UNHCR guidelines<sup>35</sup>, but will not be extrapolated on in this paper.

Social services within municipalities take care of the accommodation and daily care of UASC, with guidelines, recommendations and support available in all municipalities<sup>36</sup>. Regardless of stage of asylum claim, Swedish law (as described previously) provides all UASC with the right to education, along with health care and limited funds for living expenses, managed by their Godman<sup>37</sup>.

The housing situation of UASC is varied. Some group homes have live-in staff whilst other group homes for older UASC provide a more independent living arrangement with staff visiting regularly to ensure there are no problems. Some UASC live with family members or friends who may already be in Sweden. Housing is both in urban and rural settings and research conducted in Sweden in 2012 by Anna Lundberg and Lisa Dahlquist<sup>38</sup> suggests that UASC levels of security and happiness can be dictated by the suitability of the environment they are placed in. As indicated later in chapter four, these feelings of security are challenged by policy changes which increases risk of disappearances. Ultimately, it is not until a child is deemed eligible for refugee status and is able to stay in the receiving country permanently that they feel secure about their situation.

## 2.5 The role of previous research in this study

This study has applied a constructivist grounded theory (CGT) approach in order to formulate a theory grounded in the data collected from stakeholders to better understand how the asylum process plays a part in UASC disappearances. Therefore, following a CGT philosophy according to Kathy Charmaz,<sup>39</sup> the literature review is incorporated within the discussion section. This provides a more rounded perspective into the phenomenon of disappearing UASC within the context of this study<sup>40</sup>. According to Charmaz, initial review of literature should only produce

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<sup>35</sup> “UNHCR|Emergency Handbook.” <https://cms.emergency.unhcr.org/.../360dac54-bbf5-456f-9094-9e53faa65185>

<sup>36</sup> Regeringskansliet, <http://www.government.se/government-policy/social-care/the-government-helps-municipalities-place-unaccompanied-minors/>

<sup>37</sup> “Regeringskansliets Rättsdatabaser.” [www.rkrattsbaser.gov.se](http://www.rkrattsbaser.gov.se)

<sup>38</sup> Anna Lundberg and Lisa Dahlquist, “Unaccompanied Children Seeking Asylum in Sweden: Living Conditions from a Child-Centred Perspective,” *Refugee Survey Quarterly* 31, no. 2 (June 1, 2012): 54–75, doi:10.1093/rsq/hds003.

<sup>39</sup> Kathy C. Charmaz, *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis*, 1 edition (London ; Thousand Oaks, Calif: SAGE Publications Ltd, 2006).

<sup>40</sup> Ibid.

information adequate enough to identify the broad areas of inquiry for the interviews and also help define who should be interviewed to ensure the data collection process is relevant in every way. For the same reason, the theoretical section will be after the methods section as it is from the analysis of the research that the theories will be more clearly defined.

## 3. Method

### 3.1 Research Design

This study utilises a constructivist grounded theory (CGT) approach for all methodology, methods and analysis of data to construct the theory. These are not simply “thrown together in a grab-bag style as if they are all comparable terms”<sup>41</sup> as all aspects represent distinct hierarchies of the research. The research is underpinned by my reflexive stance of social constructivism which assumes that people constantly create social realities through individual and collective actions, a stance that is supported by the ontological and epistemological viewpoints of relativism used in this study, taking the perspective that people create meaning from their own personal experience<sup>42</sup>. The use of qualitative, semi-structured interviews of stakeholders enable thorough investigation of the phenomenon in context of the situation in Malmö from the perspective of key stakeholders (Government and NGO’s) working there. This ensures that the construction of the theoretical lens is based on data from interviews rather than any preconceived hypothesis. The perspective provided through qualitative methods of semi-structured interviews, “versus” coding and dilemma analysis, will provide a good insight as to where disconnect between policy and practice creates paradoxical situations that can lead to disempowerment of some UASC. A high-level description of each aspect of the research design is outlined in the subsequent areas of this section.

### 3.2 Constructivist grounded theory

CGT methodology is a study of a concept or a phenomenon. The strategies used to create and interrogate data are designed to construct theoretical explanations. The construction of theory from data, as opposed to starting with a hypothesis, was important in this study as it acknowledges that

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<sup>41</sup> Michael J. Crotty, *The Foundations of Social Research: Meaning and Perspective in the Research Process*, 1 edition (London ; Thousand Oaks, Calif: SAGE Publications Ltd, 1998),p.3.

<sup>42</sup> John W. Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches, 4th Edition*, (Thousand Oaks: SAGE Publications, Inc, 2013). p.8



“reality is multiple, processual and constructed”<sup>43</sup> and the data is a “product of the research process, not simply observed objects of it”<sup>44</sup>. The inductive nature of CGT and the use of constant data comparison and analysis throughout the research enables a rethinking of ways to explicitly answer “why” questions along with the “what and how” questions when constructing the categories and ultimately the theoretical lens from the data. CGT is structured utilizing an overarching question, along with accompanying conceptual areas of inquiry<sup>45</sup>. The two conceptual areas of inquiry this study focus on are of paradoxes and disempowerment. These conceptual areas are consistent with both research questions and grounded theory methods.

### 3.3 Methods used

The CGT qualitative semi-structured interviews with the focus group of twelve key stakeholders in Malmö were designed to provide an intensive dialogue and analysis of the specific area in context to provide insight into the current situation. The use of semi-structured interviews in this study was important for the social constructivism of this CGT approach. Interviewing key stakeholders enabled a richer understanding, as to the “systematic, yet flexible guidelines for collecting and analysing the qualitative data helped co-construct the theories “grounded” in the data collected”.<sup>46</sup>

Memos were written directly after each interview, adding extra notes after transcription enabled further reflection upon and analysis of each interview. This ensured the interview was not just seen as a standalone interview, but how they fit in relation to previous interviews conducted for this study, thereby “increasing the level of abstraction of ideas”<sup>47</sup> in the process. Memo writing is a crucial aspect of CGT as “it prompts researchers to analyse their data and develop their codes into categories early in the research process”<sup>48</sup>.

In CGT, coding is emergent, not preconceived, therefore, the coding process can lead to unexpected areas from initial collection of data, as meaning is derived from the data, constructing the theory. Coding is defined as “categorizing segments of data with a short name that

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<sup>43</sup> Kathy C. Charmaz, *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis*, 1 edition (London ; Thousand Oaks, Calif: SAGE Publications Ltd, 2006).

<sup>44</sup> Ibid.

<sup>45</sup> Kathy C. Charmaz, *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis*, 1 edition (London ; Thousand Oaks, Calif: SAGE Publications Ltd, 2006).

<sup>46</sup> Ibid, p2.

<sup>47</sup> Ibid. p.72

<sup>48</sup> Ibid. p. 188.

simultaneously summarizes and accounts for each piece of data”<sup>49</sup>. For this data categorization ‘versus coding’ was used as it “identifies in binary terms how aspects of the asylum system are in direct conflict with each other<sup>50</sup> and helps “look for patterns of social domination, hierarchy and social privilege and how people struggle against them”<sup>51</sup> highlighting the intersections of micro and macro conditions”<sup>52</sup> to help identify where paradoxical situations appear. CGT coding is done in two stages, ‘initial’ and ‘focused’. For this study, the initial stage used ‘in vivo’ codes to preserve the flavour of responses during interview then the ‘focused’ stage looked at the more conceptual idea of where the paradoxical situations were causing disconnect.

Analysis within CGT helps construct the theoretical framework. This study applies a constant comparative method in the form of dilemma analysis<sup>53</sup>, an inductive process to “review data, identify and juxtapose inconsistencies and contradictions that are inherent within the asylum system, forcing us to look at the situation from multiple perspectives”<sup>54</sup>. The aim is to provide “not just general insights but also indirect and long-term analyses of fundamental causes, conditions and consequences”<sup>55</sup> of practices within the asylum process that have not managed to deter UASC from disappearing. Both the versus coding and dilemma analysis suit my approach as it reinforces that there are not “two sides” but rather multiple perspectives in any discourse<sup>56</sup> and both methods highlight power issues or paradoxical situations in a very transparent fashion to help develop analytical theories.

The CGT data collection methods outlined above are designed to provide a deeper understanding of the formal and informal elements of the current asylum process from the perspective of key stakeholders in Malmö in order to appreciate the theoretical lens. It is important to note that these methods are not designed to generalize about Sweden, but aim to provide a rich insight into how one municipality is dealing with a phenomenon that is being experienced

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<sup>49</sup> Kathy C. Charmaz, *Constructing Grounded Theory: A Practical Guide through Qualitative Analysis*, 1 edition (London ; Thousand Oaks, Calif: SAGE Publications Ltd, 2006). , p.43.

<sup>50</sup> “The Coding Manual for Qualitative Researchers | SAGE Publications Inc,” p.94, accessed April 29, 2017, <https://us.sagepub.com/en-us/nam/the-coding-manual-for-qualitative-researchers/book243616%20>.

<sup>51</sup> “The Coding Manual for Qualitative Researchers | SAGE Publications Inc,” p.94, accessed April 29, 2017, <https://us.sagepub.com/en-us/nam/the-coding-manual-for-qualitative-researchers/book243616%20>.

<sup>52</sup> “The Coding Manual for Qualitative Researchers | SAGE Publications Inc,” p. 94, accessed April 29, 2017, <https://us.sagepub.com/en-us/nam/the-coding-manual-for-qualitative-researchers/book243616%20>. p. 187.

<sup>53</sup> Richard Winter, “‘Dilemma Analysis’: A Contribution to Methodology for Action Research,” *Cambridge Journal of Education* 12, no. 3 (September 1, 1982): 161–74, doi:10.1080/0305764820120303.

<sup>54</sup> Ibid.

<sup>55</sup> Richard Winter, “‘Dilemma Analysis’: A Contribution to Methodology for Action Research,” *Cambridge Journal of Education* 12, no. 3 (September 1, 1982): p.197, doi:10.1080/0305764820120303.Ibid.

<sup>56</sup> Ibid. p.197

throughout Sweden.

### 3.4 Weaknesses of using Constructivist Grounded Theory

I have chosen to use constructivist grounded theory as I believe the approach as described above is appropriate for what I intend to achieve in this study. However, it is important to note that many people believe using CGT could be risky as there has always been a lot of dispute between researchers around how grounded theory should be conducted. Even the two researchers who developed GT, Barney Glaser and Anselm Strauss, disagreed on how to apply GT, and therefore, went their separate ways, splitting GT into two paradigms with CGT emerging as yet another GT paradigm a few years later. The credibility of all GT paradigms has been questioned despite Glaser and Straus demonstrating how “integration of a theory tends to correct inaccuracies of hypothetical inference and data”<sup>57</sup>. I have chosen to use CGT from the perspective of Kathy Charmaz despite Glaser stating that CGT is a misnomer and is not “constructivist”<sup>58</sup> as it has an epistemological bias. Charmaz, in defence of this, says that the “constructivist approach recognizes the categories, concepts and theoretical level of analysis emerge from the researcher interactions” which Glaser sees as “an effort to dignify the data and avoid the work of confronting the researcher bias”. As this brief interchange suggests, there are multiple disputes surrounding application of this methodology and it is an approach that can be fraught with difficulty. However, I believe that acknowledging the weaknesses with the understanding that GT is a general method that allows a researcher to select the approach that works for the study at hand, ensures that the research is conducted in a way that is cognizant of, and mitigates, any concerns.

### 3.5 Materials

The materials used in this study include analysis of relatively limited previous research by scholars focused on Sweden such as Lundberg, Dahlquist and Brekke and also the scholar Jacqueline Bhabha<sup>59</sup> whose US-centric research reflects the high-level issues Sweden is facing from a global perspective of the phenomenon. The Swedish Government commissioned research “Lost in Migration”, the Swedish Barnombudsman 2017 report on UASC and EU research “Connect” are

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<sup>57</sup> Barney Glaser and Anselm Strauss, *The Discovery of Grounded Theory: Strategies for Qualitative Research* (New Brunswick: Routledge, 1999), p.223.

<sup>58</sup> Barney G. Glaser, “Constructivist Grounded Theory?,” *Forum Qualitative Sozialforschung / Forum: Qualitative Social Research* 3, no. 3 (September 30, 2002), <http://www.qualitative-research.net/index.php/fqs/article/view/825>.

<sup>59</sup> “Bhabha, J.: *Child Migration and Human Rights in a Global Age* (eBook and Paperback).” accessed April 12, 2017, <http://press.princeton.edu/titles/10210.html>.

also very relevant. Due to the changing nature of this contemporary issue, the relatively sparse research and the nature of the CGT approach, the emphasis was on data collection from interviews. Participants for this study were key stakeholders responsible for the care of UASC. The first interview was purposely with CAB, Stockholm, to get a country-wide overview of the mapping exercise as describe in the introduction before narrowing the scope to the CAB, Skåne, responsible for thirty-three municipalities in south west Sweden including Malmö. This perspective was added to by key stakeholders working within the focus municipality of Malmö. The final perspective was once again, a higher perspective from Stockholm, in the form of stakeholders from the Barnombudsman, who have a country-wide viewpoint of the issues.

**Table 1.** Stakeholders interviewed

Perspective	Organization
Government - National Level	- Länsstyrelsen Stockholm (CAB) - Barnombudsman (the Ombudsman for children in Sweden)
Government – Malmö	- Länsstyrelsen Skåne (CAB) - Migrationsverket (Swedish Migration Agency or SMA) Interviewed stakeholders in two separate areas for UASC - Malmö Police
NGO – Malmö	- Save the Children - Skåne Stadsmission (city mission) in Malmö
Individuals/group housing	- I also interviewed three individuals who work in group housing for UASC in Malmö

The memo writing and transcripts of interviews from stakeholders as per above were analysed for this study.

### 3.6 Ethical considerations

Interviews were conducted as per the ethical guidelines as outlined by the Swedish Research Council<sup>60</sup>. This ensured confidentiality, trust and professionalism at all times and allowed for anonymity of participants. In this study, restricting interviews to adult stakeholders caring for UASC, and not the children themselves, reduced ethical considerations as there are special factors to consider when interviewing vulnerable children.

## 4. Results

The table below outlines the key concerns and themes expressed by the stakeholders interviewed. As discussed in chapter three, ‘in vivo’ codes were used as direct quotes from the stakeholders were highly illustrative and effective. This data categorization enabled clarification of what stakeholders perceive to be paradoxical situations and how these situations are creating environments that trigger some UASC to disappear.

**Table 2.** Versus coding of interviews using in vivo codes.

Quotes from interviews <sup>61</sup>	Broad area of Paradoxical situation
<p>“In 2015, at the height of the refugee crisis, we weren’t able to register children properly. Sometimes it was just a first name before they were sent to a transit home. Some children were impossible to follow up on due to situations like this. They may have moved on to Stockholm to be with people they knew, or may have left Sweden. We cannot be sure”</p> <p>“There are guidelines in place but not everyone follows them”</p>	<p>policy vs practice</p> <p>BIC vs decisions based on considerations of what is best for the institutional framework</p>

<sup>60</sup> Werner, “Good Research Practice — Now in English - Vetenskapsrådet.” [https://www.vr.se/download/18.3a36c20d133af0c1295800030/1340207445948/Good+Research+Practice+3.2011\\_webb.pdf](https://www.vr.se/download/18.3a36c20d133af0c1295800030/1340207445948/Good+Research+Practice+3.2011_webb.pdf)

<sup>61</sup> Note: all interviews were conducted in English with Swedish speakers, therefore, whilst these are direct quotes sampled from various stakeholders, the language used would be at times more simplified than if it were expressed in their native language. I appreciated the interview participants speaking English with me due to my Swedish not being sufficient for the purpose of the interviews. Also, it is important to note that whilst each quote was from individual stakeholders in Malmö, they were all very in synch with concerns and comments, so these quotes were the most reflective of themes or scenarios that were brought up consistently, irrespective of stakeholder interviewed.

<p>“If they haven’t had disappearances they don’t think it applies to them”</p> <p>“Twelve out of thirty-three municipalities came to briefing session on UASC”</p> <p>“Each municipality, or even each housing situation, has their own ways of working”</p> <p>“UASC in family homes or in rural areas get less attention than those in group homes, which is a problem”</p> <p>“There are issues with some Godman and the way disappearances are reported”</p> <p>“Working in a group house, we know everything about the UASC yet the Godman gets all the respect from the UASC even though some Godman just aren’t working in the BIC”</p> <p>“Some Godman have well over twenty UASC each, seeing this role as an income stream rather than BIC and this is a big issue”</p> <p>“If we see a child walking out the door with their bag, we can’t stop them. We have no power to do anything. We worry about what will happen to them, but have to see it as their choice”</p> <p>“Disappearing UASC are meant to be reported within twenty-four hours, but not always. After three weeks, they stop looking for them and assume they have left Sweden”</p> <p>“Disappearances are not always reported as sometimes they go, and come back after a few days, then go again. It’s considered normal. No one asks where they go”</p> <p>“Despite so many stakeholders involved with UASC, is a lack of information at times and a lack of a single owner for issues surrounding UASC – this is needed”</p>	<p>set guidelines vs no consistency</p>
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<p>“We have this assignment from government to help understand the disappearances and what can be done to prevent it, on the other hand, the money the municipalities get from the state is going to be much lower from the 1<sup>st</sup> July so stopping the problems will be harder”</p>	<p>research commissioned to be finished in 2018 vs funding cuts mid 2017</p>
<p>“Municipalities are already preparing for July 2017 funding cuts. UASC are being moved, consolidating houses, municipalities”</p> <p>“UASC stay in homes with reduced care facilities. Some practice staying in their apartment with less staff but reduced funding means mobile teams only drop in and leave. This is at the stage when kids are needing more support than before....”</p> <p>“The lack of money is going to push municipalities into housing arrangement that are not in the BIC”</p>	<p>funding cuts vs UASC need for stability</p>
<p>“The length of time for waiting, plus lack of communication around decision, puts children into more uncertain situations”</p> <p>“Their health, including psychological health, declines”</p> <p>“They see the doctor more often, go to school less”</p> <p>“Maybe there are some quick fixes that will help, like not kicking them out when they turn 18”</p> <p>“There is some mental health support through Barn-och ungdomspsykiatri (BUP) but it’s hard to get in and waiting times are long”</p> <p>“UASC suffer from stress related illnesses whilst waiting, causing excess trips to doctor”</p> <p>“When a UASC with similar history gets a decision and they don’t, it causes concern and anxiety”</p> <p>“UASC from Autumn 2015 UASC are still being processed and are in the system”</p>	<p>long waiting time for decision vs high rate of stress related illnesses</p> <p>BIC vs UASC feeling they are treated differently to native born children</p>

<p>“lack of clear child friendly communication from SMA”</p> <p>“SMA meet with UASC twice maximum, sometimes only once”</p> <p>“they know they are different and they feel afraid of being sent back”</p>	
<p>“The onus for proof of age is on the UASC to prove their age and many just can’t do this for multiple reasons”</p> <p>“disbelieved before they are believed”</p> <p>“Many UASC are age adjusted upwards, then on appeal can be found to be actually under 18”</p> <p>“Some Municipalities kick UASC out of housing after upwards age adjustment, then bring them back after appeal – this is very unsettling for UASC”</p> <p>“Some keep kids in the system when they turn 18, but most are forced out right at the time where kids are acknowledged to be at high risk of multiple health issues and suicide”</p> <p>“For now, you can get funding if you keep them in the system after 18 especially if they are finishing their education but after 1<sup>st</sup> July, this will not be the case”</p>	<p>Upwards age adjustments vs no support after 18</p>

As highlighted above, the key paradoxical situations causing issues were identified at a very high-level are:

- policy vs practice
- BIC vs decisions based on considerations of what is best for the institutional framework
- set guidelines vs no consistency between or even within municipalities
- research commissioned to be finished in 2018 vs funding cuts mid 2017
- funding cuts vs UASC Need for stability
- long waiting time for decision vs high rate of Stress related illnesses
- upwards age adjustment vs no support after 18



The stakeholder perceptions and comments demonstrate that these situations can be contextual, nuanced and in many cases if resolved could potentially reduce the instances of disappearances. The theories constructed from the interviews were governmentality, intersectionality and “othering”.

The next section, Chapter five, will explore how the interviews conducted helped construct the theory and points at causality between disappearances and the intertwined elements of governmentality and intersectionality of the asylum process, coupled with “othering” including aspects of “self othering” by the UASC themselves. The disempowerment created by the paradoxes within the system can create the optimum environment to trigger a UASC to disappear from the asylum system of their own volition or through coercion from others.

## 5. Discussion of analysis – the juxtaposition of the theoretical lens with previous research

To quote US scholar Bhabha, “the tension between contrasting principles is enduring within our own society, not external, transient or ultimately resolvable”<sup>62</sup>. The paradoxical situations within the asylum system that cause such tensions can be explored in various ways in an endeavour to unravel some of the underlying issues that spark disappearances. As noted in the introduction to this paper, the research done in this area is surprisingly sparse given the huge implications, not just for the UASC, but for all areas of society. Combining the literature review within this analysis helps understand some of these tensions and the implications of the paradoxical situations.

### 5.1 Theories emerging from interviews

The aim of this research is to explore what issues are created when the procedural framework of the asylum system takes precedence over the true needs of the individual UASC and how the disconnect caused by paradoxical situations can cause disempowerment. The frequent references by interview subjects to the paradoxical situations between policy and practice, as outlined in Table 2 above, naturally constructed the three theories of governmentality, intersectionality and “othering” for focus in this study. Whilst these are by no means the only theories that could apply,

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<sup>62</sup> “Bhabha, J.: Child Migration and Human Rights in a Global Age (eBook and Paperback).” p.12, accessed April 12, 2017, <http://press.princeton.edu/titles/10210.html>.

the high-level descriptions and discussions around these theories outlined below will give an insight into why these are particularly relevant and where other academics have also seen a connection.

### 5.1.2 Governmentality

The term “governmentality” was coined by Foucault. He deemed it to be a contraction of Government and rationality or mentality<sup>63</sup> and defined it as:

“The ensemble formed by institutions, procedures, analyses and reflections, calculations, and tactics that allow the exercise of this very specific, albeit very complex, power that has the population as its target, political economy as its major form of knowledge, and apparatuses of security as its essential technical instrument”.<sup>64</sup>

The reason that Governmentality as a theory is a construction of the analysis of the research data was the apparent disconnect of the different areas of this ensemble. It is important to note that theories can be viewed with different lenses. The Swedish researcher, Stretmo<sup>65</sup> has, like this study, identified both governmentality and intersectionality as factors causing issues within the asylum process. However, in regards to governmentality, Stretmo focuses more on the aspects surrounding the act of “Governing” and how UASC are governed. Due to the CGT approach of grounding the theory from the data collected, governmentality is used differently within this study. Here the concept of governmentality is used more to focus on disconnects within the structure of the institutional framework of the asylum process, arguing that the laws and the inconsistency of their implementation in practice, ultimately creates a disempowering situation for the UASC. This is seen in the asymmetrical power relationships which involve “techniques and procedures which are designed to govern the conduct of both individuals and populations at every level not just the administrative or political level”<sup>66</sup> that are out of sync when it comes to the practical level.

The issues within governmentality that could be contributing to the phenomenon of disappearing UASC have been noted for more than a decade. In 2004, during a study of UASC in Sweden, Brekke raised the concern that “from the very start of the asylum-seeking process, many

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<sup>63</sup> “Rationality,” accessed April 19, 2017, [http://www.importanceofphilosophy.com/Ethics\\_Rationality.html](http://www.importanceofphilosophy.com/Ethics_Rationality.html).

<sup>64</sup> M. Foucault, *Security, Territory, Population: Lectures at the College De France, 1977 - 78* (Springer, 2007).

<sup>65</sup> “Stretmo, L.: Governing the Unaccompanied child" ...,” *Göteborgs Universitet*, accessed May 8, 2017, <http://www.goteborgsuniversitet.se/forskning/publikation/?publicationId=202417>.

<sup>66</sup> Clare O’Farrell, *Michel Foucault*. London. (SAGE, 2005), p.138

UASC experience a period of dis-orientation, dis-qualification and dis-integration”<sup>67</sup>. Brekke argued these disempowering experiences were due to the ambivalence of the asylum policies. Bhabha<sup>68</sup> echoed these observations of ambivalence of the asylum process in all aspects of governmentality during the same year (2004) from her US-centric studies. This is relevant to highlight as it places emphasis on the global nature of issues within asylum systems, and the fact warnings from researchers and stakeholders within the field have not been heeded by Governments who are still being criticized by the CRC. Consequently, thirteen years after research cited in this document, stakeholders in this study are still decrying this same Governmental ambivalence when describing the disconnect that is still present in the asylum process. Policy changes, such as the funding cuts coming at a time when Government appears to be committing to understanding the issues surrounding disappearances, underscore the ambivalence of their contradictory actions. The “vulnerability of the UASC in an increasingly unwelcoming system<sup>69</sup>” in Sweden was noted in 2011 by Eastmond and Ascher<sup>70</sup>. The situation has not changed since 2011, however, the issues are on a greater scale.

In 2017, the disconnect within the governmentality that creates disempowerment for the UASC is seen in many different ways, including the interrogative techniques used whereby UASC have to outline their defence for their application within a “culture of suspicion”<sup>71</sup> in the asylum system. Stakeholders interviewed for this study lamented the institutional approach that puts the UASC on the defence from the start. The onus is on the UASC to prove everything surrounding their situation, which is debilitating for some who have difficulties answering questions that are beyond their age or educational level. The stress placed on the UASC of being “disbelieved before they are believed”, as one stakeholder put it, creates anxiety that results in multiple physical health issues for many UASC who are already traumatized. The new laws surrounding proof of age, including the automatic upward adjustment of age to eighteen if the UASC cannot definitively prove they are under eighteen, is pushing some UASC to their breaking point. It is important to note, however, that this practice of upwards age adjustment has

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<sup>67</sup> Jan-Paul Brekke, *While We Are Waiting: Uncertainty and Empowerment Among Asylum-Seekers in Sweden* (Institute for Social Research, 2004), pg. 8.

<sup>68</sup> Thomas Lemke, *Foucault, Governmentality, and Critique* (Routledge, 2015), p.4.

<sup>69</sup> Marita Eastmond and Henry Ascher, “In the Best Interest of the Child? The Politics of Vulnerability and Negotiations for Asylum in Sweden,” *Journal of Ethnic and Migration Studies* 37, no. 8 (September 1, 2011): 1186, doi:10.1080/1369183X.2011.590776.

<sup>70</sup> Ibid

<sup>71</sup> United Kingdom Parliament Home Page, "Children in crisis: unaccompanied migrant children in the EU" accessed April 19, 2017, <https://www.publications.parliament.uk/pa/ld201617/ldselect/ldcom/34/34.pdf>

been halted briefly, as Sweden started to medically assess age in March 2017. Whilst the topic of medical age assessment is out of scope for this paper, it is important to note that it is a voluntary procedure for UASC. Whilst over 280 UASC in Sweden had been recently assessed at time of this study, no results had been received by SMA in Malmö at the time of interview in early May. This long waiting period for results adds another layer of stress to the UASC which is another scenario that is not in the BIC.

Whilst the Aliens Act has given recognition to the BIC, the ambiguity of the wording allows for wide interpretation. As stated earlier, the imbalance of power is seen constantly throughout the asylum process with the concept of what is in the “best interest of the child” appearing to be largely dictated by the “best interest of the governmentality”, with the child being dependent on the system providing all their basic needs as per the BIC. The UASC is in a disempowering, subordinate position whilst forced to wait for extended periods of time for the asylum decision that is based on so many factors beyond their control. No UASC can feel relaxed as laws, politics or threatening situations in the country of origin can change at any time, putting strain on every asylum-seeker until the positive decision they have been waiting for is granted. The UASC knows that within the constructs of the asylum system, they have scant opportunity to manoeuvre because their “margin of liberty is extremely limited,”<sup>72</sup> therefore the living situation in which the UASC is placed in while they are waiting is a huge factor in the positive attitude of the UASC and whether or not they would disappear. “Governmental power in asylum is not about universal ideals of truth, reason and justice but about the contingency and conventionality of rules and practices in the multiplicity of forms of life where truth operates at the context dependent, or “local” level”<sup>73</sup>. This statement proves true within this study as stakeholders often began answers to questions with “depends on which municipality they are in and where they are living”.

Stakeholders interviewed commented that due to social networks of UASC, many children are also aware of disconnect between the different UASC situations and this creates a mood of frustration and disempowerment, especially when UASC are told of changes in laws or policies that affect them personally but may not apply to others. This leaves stakeholders feeling that practices are not conforming to Government rationalities, yet are left trying to “discover which

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<sup>72</sup> “Michel-Foucault.com,” accessed April 19, 2017, [http:// www.michel-foucault.com/dulwich/freedom.pdf](http://www.michel-foucault.com/dulwich/freedom.pdf)

<sup>73</sup> Jennifer; Dagg, “Governmentality and the Performativity of the Asylum Process,” accessed April 19, 2017, [https://aran.library.nuigalway.ie/bitstream/handle/10379/3499/Final%20Thesis%20Draft%20III%20\(Binding\).pdf?sequence=1&isAllowed=y](https://aran.library.nuigalway.ie/bitstream/handle/10379/3499/Final%20Thesis%20Draft%20III%20(Binding).pdf?sequence=1&isAllowed=y)

kind of rationality the Government is using”<sup>74</sup>. I argue that disconnect within governmentality, especially when aspects are not in the BIC, can be linked to the phenomenon of why some UASC disappear.

### 5.1.3 Intersectionality

As mentioned in chapter two, the CRC criticized Sweden in 2015 with the comment “sometimes migrant children were dealt with differently and the aim must be to provide them with equal treatment”<sup>75</sup>. This statement reflects more than simply issues with governmentality but also a level of intersectionality that is by default within the asylum system, where there are so many variables that need to be considered for a positive decision to be granted. According to Hankivsky<sup>76</sup>, intersectionality promotes an understanding of human beings as shaped by the interaction of different social locations (e.g., ‘race’/ethnicity, Indigeneity, gender, class, sexuality, geography, age, disability/ability, migration status, religion). These interactions occur within a context of connected systems and structures of power (e.g., laws, policies, state governments and other political and economic unions, religious institutions, media). Through such processes, interdependent forms of privilege and oppression shaped by colonialism, imperialism, racism, homophobia, ableism and patriarchy are created<sup>77</sup>.

Intersectionality within the asylum system can be looked at in different ways including how the institutional framework categorizes UASC under the law. Whilst many categories could be examined more closely to support how intersectionality can be used to prove the CRC criticism is just, due to restrictions of this paper, only one example of a category is explored. This category is “age”, which is at the core of great stress for many UASC, and can be intersected onto many other categories. Due to the many UASC in their late teenage years, intersectionality of age is one that concerns most UASC, especially “children absconding from countries of conflict and war who are often not able to document their age.”<sup>78</sup> For many, due to multiple factors, their age is poorly documented, if at all, and therefore the SMA may doubt the accuracy of the application for child status if the UASC appears older than their stated age. This question of doubt by the SMA can at

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<sup>74</sup> Todd May, *Between Genealogy and Epistemology: Psychology, Politics, and Knowledge in the Thought of Michel Foucault* (Penn State Press, 1993), 7.

<sup>75</sup> Regeringskansliet, [www.government.se/49d49e/globalassets/.../english-summary\\_sou2016\\_19.pdf](http://www.government.se/49d49e/globalassets/.../english-summary_sou2016_19.pdf)

<sup>76</sup> “Institute for Intersectionality Research and Policy,” *Intersectionality* 101, p.2, accessed April 18, 2017, <https://www.sfu.ca/iirp/resources.html>.

<sup>77</sup> “Institute for Intersectionality Research and Policy.”

<sup>78</sup> Patrick Thevissen et al., “Ethics in Age Estimation of Unaccompanied Minors,” *Journal of Forensic Odontostomatology* 30, no. 1 (November 1, 2012): 85–102.

times especially apply to UASC from countries such as Somalia and Afghanistan “where official documents with exact birth dates are rarely issued”<sup>79</sup>. Other levels of intersectionality that can converge with age can include when the UASC is poorly educated and/or from a remote rural area and may not have examples of their life to tie into popular or cultural references to prove their age. Therefore, many of these disadvantaged UASC are subsequently age adjusted upwards to be over eighteen, resulting in them being shut out from the aspects of the asylum system that are specifically designed to protect children. Some UASC appeal, resulting in their age being re-adjusted downwards, thereby, enabling them to re-enter the UASC system. However, this instability of status is devastating for some. Even the fear of being removed from the UASC system is seen to be a factor in some disappearances, which explains why some UASC vanish at seemingly odd times such as initial application or just prior to decision as mentioned within the introduction of this paper.

Whilst the focus on issues surrounding age has just been one example of how intersectionality can play a part in disappearances, “each factor has very real implications in both dividing people and establishing aspects of commonality, with their effects neither consistent across populations nor inherent to the people whom they affect, because their construction is deeply contextual and relational”<sup>80</sup>. Therefore, the awareness of intersectionality can help understand why some UASC disappear.

#### 5.1.4 Othering

In addition to both governmentality and intersectionality, the last theoretical concept constructed from analysis of the stakeholder interviews was “othering”, originally coined within post-colonial theory. “Othering” within this context is “any action by which an individual or group becomes mentally classified in somebody’s mind as ‘not one of us’”<sup>81</sup>. Whilst the stakeholders primarily discussed many examples of “othering” that could be reflected in the system, it could be extrapolated that the UASC themselves may “self-other” when they find themselves in a disempowered position. Stakeholders described the differences between how UASC were regarded compared to the native-born population, including what happens after a UASC disappears. Whilst

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<sup>79</sup> Anders Hjern, Maria Brendler-Lindqvist, and Marie Norredam, “Age Assessment of Young Asylum Seekers,” *Acta Paediatrica (Oslo, Norway: 1992)* 101, no. 1 (January 2012): 4–7, doi:10.1111/j.1651-2227.2011.02476.x.

<sup>80</sup> Charlotte-Anne Malischewski, “Integration in a Divided Society? Refugees and Asylum Seekers in Northern Ireland,” *RSC Working Paper Series* 91 (2013), <https://www.rsc.ox.ac.uk/publications/integration-in-a-divided-society-refugees-and-asylum-seekers-in-northern-ireland>.

<sup>81</sup> Grisel María García-Pérez and Constanza Rojas-Primus, eds., *Promoting Intercultural Communication Competencies in Higher Education* (Hershey, PA: Information Science Reference, 2016), p.256.

a twenty-four-hour reporting period after first going missing is standard practice for everyone in Sweden, some UASC housing may not worry about a UASC for three or more days as one stakeholder reflected “sometimes they go, and come back after a few days, then go again. It’s considered normal. No one asks where they go”.

In addition to this, whilst the housing staff can report the UASC missing, the police report is formally the role of the Godman who does not reside with the child, which can delay lodgement of the police report. According to stakeholders interviewed, the majority of these reports<sup>82</sup> on missing UASC are only kept active for a limited time, in many cases as little as three weeks, as the UASC is then assumed to have left Sweden. This ambivalence is not usual in the case of missing children – societal outrage would be expected if it was just assumed a Swedish child had decided to disappear. A lengthy search would be expected by the police and on websites such as “missing people – Sweden,”<sup>83</sup> a site that does not have any UASC amongst the people missing in Sweden they are highlighting. In comparison to expected outrage, the phenomenon of thousands of UASC disappearances is met by only the occasional hushed mutterings surrounding the situation of these “other” children.

“Othering” was also seen in the reception of UASC during autumn 2015, when record arrivals meant that UASC were not registered properly. During stakeholder interviews, it was explained that due to the high numbers, there were many instances where only first names were taken, thereby, meaning these UASC could not be accurately monitored with any follow up as to their well-being, and at times, stakeholders did not know actually know where some children went during the chaos. Whilst that period of time was an exceptional circumstance, not registering UASC properly was not in the BIC and a form of “othering”. Whilst this was rectified and UASC are now identified formally, including being fingerprinted, these improperly registered UASC were in a way dehumanized as they were not treated with the dignity of adequate identification and monitoring that would be expected for people in need of care or protection especially for vulnerable children.

As Bhabha stated, the approach to “otherness” in our society is ambivalent, with UASC caught between the identification of the other as ‘human like me’ and a hostility or indifference towards the “other” as separate, dispensable or threatening<sup>84</sup>. Whilst UASC are considered vulnerable

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<sup>82</sup> Stakeholder interviews reflected that cases of disappearances in which UASC has a criminal record or is wanted for deportation will be kept open for four years, otherwise it is three weeks.

<sup>83</sup> [www.missingpeople.se](http://www.missingpeople.se)

<sup>84</sup> “Bhabha, J.: Child Migration and Human Rights in a Global Age (eBook and Paperback).” p.13

children, and stakeholders personally had a lot of compassion for these children, through the interviews it was clear the mechanisms of the system was letting UASC down. A vast amount of stakeholders are responsible for these children yet there is not one ultimately responsible and this causes frustrations. The lack of communication to the UASC during lengthy waiting times, delivery of communication not always child-centred, education being available but not compulsory (with many missing school due to stress related illnesses) are only a few examples, in addition to the short period of time they are searched for if they did vanish, as mentioned above. All these situations are paradoxical to the philosophy of the BIC and could be interpreted by UASC that they are “not really like our children”<sup>85</sup>, making them feel “othered” and unwanted, inspiring them to disappear.

The combination of intersectionality and governmentality that may include “ambivalent strategies of short term protection, followed by rejection, exclusion and punishment”<sup>86</sup> could making some UASC feel “othered” and different. This could further result in dejected “self othering”, especially when they discover UASC in the same position as themselves that received a speedy positive decision whilst they are still waiting. Disconnects within the system, the issues of governmentality and intersectionality combined with the extended waiting time with lack of communication exacerbates the feeling of UASC disempowerment and otherness resulting in a high risk of the child simply disappearing.

## 6. Discussion summary

As the discussion of the analysis and introduction of the theories show, this phenomenon is highly complex and disappearances can be for individual reasons, regardless of the system. Whilst each theory outlined can give multiple perspectives from the interpretation of the data, I believe it cannot be discussed adequately through the lens of one theory alone. Taking into consideration the triangulation of all three theories, or even a mix of other theories that may suit individual situations, provides stakeholders with a greater understanding of some of the key elements that could be inspiring this phenomenon and triggering some individuals to disappear.

The juxtaposition of the relatively limited previous research with the analysis of my own CGT construction of theoretical viewpoints helped assess, critique and make comparisons between this

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<sup>85</sup> “Bhabha, J.: Child Migration and Human Rights in a Global Age (eBook and Paperback).” P.12.

<sup>86</sup> Ibid. p.15.



study and previous findings. My findings were consistent with previous research as it showed that the asylum system in Sweden has a history of letting UASC slip between the cracks of their system of governmentality without learning from the past. The criticism by the CRC mentioned previously in this paper was also proved to be accurate when they stated that there is not the same level of care as there would be for children of native born populations as the analysis from the interviews has described such scenarios.

It is also pertinent to note that whilst many stakeholders in Sweden say the record number of applications in 2015 is a reason for not adhering to BIC practices or policies, the CRC criticism was made in January 2015, whereas the huge numbers of UASC that arrived in 2015 came in autumn, many months after Sweden was asked to improve their asylum process. This demonstrates the disconnect within Swedish governmentality and the need to act upon feedback from reports more proactively. Most importantly, the Government should wait for and adhere to findings of the mapping exercise currently being conducted with stakeholders around Sweden, as outlined in chapter one. Reducing funds for the care of UASC before they have the recommendations of this valuable country-wide exercise is perpetuating the issues for not just the UASC but for Sweden as a whole. Acting on advice as to how to improve the system will help eliminate these paradoxical situations as described in the interviews and in turn, will help reduce the number of UASC disappearing in Sweden.

## 7. Conclusion

This research paper set out to investigate how the asylum system impacts on the global phenomenon of UASC disappearances. Previous studies on this long-term global phenomenon have been surprisingly few given the gravity of concerns surrounding missing children in general, coupled with the added vulnerability of UASC who have fled from situations of conflict or persecution. Due to the relatively limited research available for the contemporary context of this issue, I chose to use a CGT approach in an attempt to understand the factors that may contribute to UASC disappearances from the perspective of the stakeholders themselves.

Construction of the theory from the data collection rather than starting from a hypothesis was important to understand the phenomenon. The context of the study was within the municipality of Malmö in Sweden, a country whose asylum system is based on the BIC. Theoretically the adoption of the BIC philosophy should create a protective, child-centred environment, conducive to making all UASC feel safe, however many UASC obviously do not feel protected staying in this

environment.

Interviewing key stakeholders responsible for the care of the UASC within the municipality enabled me to understand how the BIC may not always be, in practice, in the child's best interest. This study aimed to unravel the paradox of why some UASC disappear from the system that is designed to protect them.

The analysis, utilizing the theoretical lens constructed from the data collection, helped answer the research questions:

- What are the key paradoxical situations created by elements of disconnect in the Swedish Asylum process?
- To what extent, and under what conditions, are these paradoxical situations disempowering UASC enough to trigger some to disappear?

Analysis of the research showed that many of these paradoxical situations are interrelated as whilst the policies are meant to be based on BIC, the interviews revealed there are incompatibilities between Government policies and what is needed in a more practical sense. The theoretical lens was constructed from the interviews and whilst I only outlined the three individual theories of governmentality, intersectionality and "othering" at a very high-level, a triangulation of all three theories would provide a deeper insight into factors that can cause a UASC to disappear.

When disconnect within the system means it is not operating in the BIC, despite best efforts, it creates instability for all. This turns into disempowerment, not only for the UASC, but also for many of the stakeholders themselves. Most interview answers were prefaced with "depends on the municipality..." which highlights the lack of cohesion between some stakeholders around the country, despite those in Malmö seemingly coordinated and in sync, based on empirical evidence from this study. The sheer number of stakeholders involved with each UASC proved to be problematic with many stakeholders seemingly frustrated that there is not a clear single point of accountability nor is there any enforcement with consistency between housing situations or even municipalities.

The ambivalence of the municipalities that do not follow set guidelines or engage with best practice creates inconsistencies that UASC may be aware of through their own informal networks, creating a greater sense of uncertainty for them. This is compounded by policy changes and funding cuts that directly impact the UASC, especially when these result in consolidation of UASC accommodation. Children are being moved to new homes or municipalities, in many cases when

they are at their most anxious, vulnerable and needing stability, which can exacerbate issues. The lack of consistency between, or even within, municipalities includes some UASC being removed from care as soon as they turn, or are aged adjusted to, eighteen. Other UASC are kept in the same situation after the age of eighteen, until they have finished education or even until upward adjustment of age appeals are finalized.

The mind-set of the USAC can be a major factor as to whether or not they choose to disappear and this mind-set is formed by their current situation, surroundings and feeling of belonging or even just being cared about. Therefore, when the UASC knows their future can depend solely on factors such as what municipality they are in, their location (rural/urban), housing situation, their Godman and whether they have the ability to retain benefits such as education, housing or access to Godman once they turn eighteen, this can have a big impact on their decisions. They need to decide whether to trust the system is working in their best interests or whether they should take control of their own future by leaving the system.

Whilst the UASC is encouraged to have a good relationship with their Godman, there are issues with Godman who are using the system for financial gain with stakeholders revealing that some Godman have well in excess of twenty UASC, a situation that is not in the BIC. The stakeholders living in the housing situation with the UASC are the ones that know the children best, yet they have no power to stop a UASC leaving – resulting in many children literally disappearing right before their eyes. This is a crucial paradoxical situation whereby those empowered to care for the UASC are not able to exercise any power to keep these children safe.

In conclusion, the results of this study show that in a wider reality, the myriad of factors creating the conjunction of events and associations that trigger a UASC to disappear from the asylum process are hugely complex and often as unique as each child that disappears. At the same time, whilst it has been noted these issues surrounding disappearances are not ultimately resolvable, there are definitely paradoxical situations that have been identified that can be changed to help address some of the issues that have led to the phenomenon of disappearing UASC in Sweden.

## 8. Suggestions for future research

As discussed in the delimitations, whilst this paper has focused on disappearing UASC, there is a litany of issues that need greater focus. Areas of interest that were mentioned in this paper as related, but out of scope of this study, include: perspectives from UASC themselves; exploring

what happens in regards to UASC who have disappeared – where are they now?; how to facilitate a better transition for UASC turning eighteen whilst still awaiting decision; the impact of age assessments and the specific scenarios of certain groups of UASCs including unaccompanied, undocumented minors not registered within the asylum system.

The concept of what constitutes ‘childhood’ amongst UASC would also be of interest as whilst UASC are treated as children, many have been self-sufficient for years, and therefore, feel constrained by the asylum system, a situation which could trigger disappearances.

The mapping exercise has also identified municipalities that are more effective at preventing disappearances than others, and it would be interesting to research more deeply what is preventing all municipalities from implementing the same processes that are in BIC.

The issue that is in focus in Sweden currently, and in need of most research and attention, is the troubling occurrences of UASC self-harming, including instances of suicide attempts. Whilst all these areas above have been identified through this study as being worthy of more in-depth research, the last issue which I believe is an extension of the issues surrounding the phenomenon of disappearances, is probably the most pressing to investigate further.

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