

Swiss-Swedish Joint Study on Cohort-Based Asylum Statistics

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Preface

As part of the statistical program of the Statistical Office of the European Communities (EUROSTAT) the Swedish Immigration Board and the Swiss Federal Statistical Office carried out a joint study on cohort-based asylum statistics. Asylum requests of Turkish and Somali nationals in Sweden and Switzerland in the years 1992 and 1993 and the results of their adjudication in both countries until the end of 1996 were analysed. The paper is inspired by the work done by EUROSTAT on improving the international comparability of statistics on asylum seekers and refugees, resulting in the March 1995 'Recommendations on Asylum and Refugee Statistics'.

The objectives of this paper are the following:

- to come to a comparative description of the key concepts and the basic definitions pertaining to asylum seekers in Sweden and Switzerland;
- to describe the asylum process in both countries and the basic principles of asylum policy;
- to describe the structure, content and data limitations of the asylum registers;
- to produce, analyse and interpret cohort-based asylum statistics;
- to establish a model for a person-based cohort data file utilising common codes for specific asylum events;
- to come to a synthesis and general conclusions.

There are significant differences among European countries on how asylum is to be requested, the possibilities for appeal, the length of the asylum process etc. One should be aware of those differences when analysing national figures of various countries. In order to be able to compare asylum figures on the international level, a harmonisation of the framework of concepts, definitions and data flows is necessary.

It is important to analyse the legislative backgrounds regarding asylum seekers and refugees in order to come to a clear understanding and interpretation of the available data and achieve an accurate statistical description of the entire asylum process. This implies a description of the different stages in the asylum process.

The task, therefore, is to describe the potential path of an asylum seeker from the moment he/she crosses the border or of the submission of his/her application abroad to the execution of a definitive decision on his/her case. As asylum procedures can last from a few days to several years, the approach should be longitudinal. Ideally this involves the monitoring of a cohort of asylum seekers (based on their year of entry) through time. This approach is considered a necessary complement to understand the dynamics of the asylum process, e.g. to provide information on the numbers and characteristics of those who are eventually staying.

The existing asylum data bases in Sweden and Switzerland offer sound possibilities for a comprehensive longitudinal description of the asylum process. Thus a common method was developed to analyse and compare four selected cohorts in both countries. It is hoped that this study will serve as an incentive as well as a guideline for other countries to pursue the same kind of analyses with their own data.

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Contents

- PREFACE 1
- CONTENT 3
- LIST OF TABLES 4
- LIST OF FIGURES..... 5
- 1. SUMMARY..... 6
- 2. INTRODUCTION..... 8
- 3. ASYLUM PROCESS IN SWITZERLAND AND SWEDEN 10
 - 3.1 Asylum Process in Switzerland..... 10
 - 3.2 Asylum Process in Sweden..... 12
- 4. DATA SOURCES..... 15
 - 4.1 AUPER2: The Swiss Register of Asylum Seekers and Refugees..... 15
 - 4.2 STAMM: The Swedish Register of Aliens..... 17
 - 4.3 The Common Data File Established for This Study..... 18
- 5. CONCEPTS AND DEFINITIONS..... 19
 - 5.1 General Framework of the Asylum Process in Switzerland and Sweden..... 20
 - 5.2 Recognition Rates..... 24
 - 5.3 Asylum Biographies..... 24
- 6. RESULTS..... 27
 - 6.1 Data Quality..... 27
 - 6.2 Asylum Cohorts in Switzerland and Sweden: Population Composition and Background..... 28
 - 6.3 Turkish Asylum Seekers..... 31
 - 6.3.1 Status at the End of Each Calendar Year..... 31
 - 6.3.2 Data Flows..... 38
 - 6.3.3 Recognition Rates..... 41
 - 6.3.4 Comparison of Cohorts in Switzerland and Sweden..... 42
 - 6.3.5 Asylum Biographies..... 42
 - 6.4 Somali Asylum Seekers..... 47
 - 6.4.1 Status at the End of Each Calendar Year..... 47
 - 6.4.2 Data Flows..... 54
 - 6.4.3 Recognition Rates..... 57
 - 6.4.4 Comparison of Cohorts in Switzerland and Sweden..... 58
 - 6.4.5 Asylum Biographies..... 58
- 7. CONCLUSIONS..... 62
- APPENDIX..... 65

List of Tables

Table 1	Number of Asylum Seekers in Switzerland and Sweden by Year and Country of Origin	8
Table 2	Number of People in Turkish and Somali Asylum Cohorts	28
Table 3	Swiss Asylum Cohorts: Number of Children Born in Switzerland	29
Table 4	Main Demographic Indicators of Turkish and Somali Asylum Cohorts	29
Table 5	Cohort Turkey 1992 (Switzerland) by Year and Stage in the Asylum Process	32
Table 6	Cohort Turkey 1993 (Switzerland) by Year and Stage in the Asylum Process	32
Table 7	Cohort Turkey 1992 (Sweden) by Year and Stage in the Asylum Process	35
Table 8	Cohort Turkey 1993 (Sweden) by Year and Stage in the Asylum Process	36
Table 9	Gross Recognition Rates of Turkish Asylum Seekers	41
Table 10	Swiss Asylum Biographies by Type and Cohort	43
Table 11	Swedish Asylum Biographies by Type and Cohort	43
Table 12	Asylum Biography 3-CH: Number of Asylum Seekers by Length of Asylum Process	43
Table 13	Asylum Biographies 4-CH and 3-S: Number of Asylum Seekers by Length of Asylum Process	44
Table 14	Asylum Biographies 5-CH and 1-S: Number of Asylum Seekers by Length of Asylum Process	44
Table 15	Asylum Biography 6-CH: Number of Asylum Seekers by Length of Asylum Process	45
Table 16	Asylum Biography 2-S: Number of Asylum Seekers by Length of Asylum Process	46
Table 17	Asylum Biography 4-S: Number of Asylum Seekers by Length of Asylum Process	46
Table 18	Asylum Biography 5-S: Number of Asylum Seekers by Length of Asylum Process	47
Table 19	Asylum Biography 6-S: Number of Asylum Seekers by Length of Asylum Process	47
Table 20	Cohort Somalia 1992 (Switzerland) by Year and Stage in the Asylum Process	48
Table 21	Cohort Somalia 1993 (Switzerland) by Year and Stage in the Asylum Process	49
Table 22	Cohort Somalia 1992 (Sweden) by Year and Stage in the Asylum Process	51
Table 23	Cohort Somalia 1993 (Sweden) by Year and Stage in the Asylum Process	52
Table 24	Gross Recognition Rates of Somali Asylum Seekers	57
Table 25	Asylum Biographies 1-CH and 1-S: Number of Asylum Seekers by Length of Asylum Process	59
Table 26	Asylum Biography 2-CH: Number of Asylum Seekers by Length of Asylum Process	60
Table 27	Asylum Biography 3-CH: Number of Asylum Seekers by Length of Asylum Process	60
Table 28	Asylum Biography 2-S: Number of Asylum Seekers by Length of Asylum Process	61
Table 29	Period Versus Cohort Recognition Rates in Switzerland	63
Table 30	Period Versus Cohort Recognition Rates in Sweden	63
Table 31	Asylum Biography 1-CH: Length of Time Between Events	65
Table 32	Asylum Biography 2-CH: Length of Time Between Events	65
Table 33	Asylum Biography 3-CH (Turkey): Length of Time Between Events	65
Table 34	Asylum Biography 3-CH (Somalia): Length of Time Between Events	66
Table 35	Asylum Biography 4-CH (Turkey 1992): Length of Time Between Events	66
Table 36	Asylum Biography 4-CH (Turkey 1993): Length of Time Between Events	66
Table 37	Asylum Biography 6-CH: Length of Time Between Events	67
Table 38	Asylum Biography 3-S: Length of Time Between Events	67
Table 39	Asylum Biography 4-S: Length of Time Between Events	67
Table 40	Asylum Biography 5-S (Turkey 1992): Length of Time Between Events	68

Table 41	Asylum Biography 5-S (Turkey 1993): Length of Time Between Events	68
Table 42	Asylum Biography 6-S (Turkey 1992): Length of Time Between Events	68
Table 43	Asylum Biography 6-S (Turkey 1993): Length of Time Between Events	69

List of Figures

Figure 1	The Swiss and Swedish Data Sources: From Event-Based to Person-Based Database	17
Figure 2	Asylum Process in Switzerland and Sweden	20
Figure 3	Turkish and Somali Asylum Cohorts (Switzerland) by Age and Sex	30
Figure 4	Turkish and Somali Asylum Cohorts (Sweden) by Age and Sex	30
Figure 5	Turkish Cohorts in Switzerland by Year and Stage in the Asylum Process	34
Figure 6	Turkish Cohorts in Sweden by Year and Stage in the Asylum Process	37
Figure 7	Cohort Turkey 1992 (Switzerland): Principal Stock and Flow Chart	38
Figure 8	Cohort Turkey 1993 (Switzerland): Principal Stock and Flow Chart	39
Figure 9	Cohort Turkey 1992 (Sweden): Principal Stock and Flow Chart	40
Figure 10	Cohort Turkey 1993 (Sweden): Principal Stock and Flow Chart	41
Figure 11	Somali Cohorts in Switzerland by Year and Stage in the Asylum Process	50
Figure 12	Somali Cohorts in Sweden by Year and Stage in the Asylum Process	53
Figure 13	Cohort Somalia 1992 (Switzerland): Principal Stock and Flow Chart	54
Figure 14	Cohort Somalia 1993 (Switzerland): Principal Stock and Flow Chart	55
Figure 15	Cohort Somalia 1992 (Sweden): Principal Stock and Flow Chart	56
Figure 16	Cohort Somalia 1993 (Sweden): Principal Stock and Flow Chart	57

1. Summary

This paper provides an overview of asylum requests of Turkish and Somali nationals in Sweden and Switzerland in the years 1992 and 1993 and the results of their adjudication in both countries until the end of 1996.

National asylum seeker and asylum adjudication statistics pose a number of problems. Firstly, there are no common standards for the recording, compilation and dissemination of such statistics. Secondly, the status determination procedures are based on national law and practice. In order to be able to compare asylum figures on the international level, a harmonisation of the framework of concepts, definitions and data flows is necessary. An essential goal of this study - and the prerequisite for the data analysis - was to achieve a comparative description of the key concepts and the basic definitions pertaining to asylum seekers in Sweden and Switzerland.

The existing asylum data bases in both countries were analysed in statistical terms, employing a longitudinal approach. Four cohorts of asylum seekers were monitored through time. The attempt was made to define, distinguish and link the various data flows within the asylum process. A standardised simplified flow chart painting a general picture of the asylum process in the two countries was developed; it served as the conceptual framework for the structure of the common cohort data file.

The present study showed that, despite the complexity of the asylum process, most individuals' asylum histories can be reduced to a manageable number of crucial events. Thus, fifteen distinctive asylum events were identified, each of which represents a crucial step in the potential path of an asylum seeker.

In order to study the time aspect inherent in each asylum process, a number of so-called 'asylum biographies' were established. An asylum biography is characterised by a unique sequence of consecutive events in the asylum process. Each individual belonging to such a group goes through the same stages during the asylum process. Due to the different procedural approaches of dealing with asylum applicants, it was not possible to come up with identical asylum biographies for both Switzerland and Sweden. Therefore, six distinct biographical asylum patterns were defined and analysed for each country.

Less than 2 percent of Turkish applicants were granted refugee status in Sweden, compared with 19 percent in Switzerland. Assuming that Turks in both countries have more or less the same grounds for refugee status, it is obvious that the Swiss and Swedish asylum authorities interpret the Geneva Convention criteria in different ways. On the other hand, it is also evident that Sweden has a broader range of humanitarian aspects which can lead to residence permits. This is illustrated by the fact that 40 percent of all applicants were given a non-asylum permit enabling them to stay permanently in Sweden (only 5.5 percent of Turks in Switzerland obtained such a status). As far as the total number of stay permits is concerned, Turkish claimants in Sweden could therefore claim a higher recognition rate. More Turks proceed to the second instance in Sweden. In addition, the Swedish Appeals Board reversed more lower instance decisions than its Swiss counterpart.

The asylum processes of Somalis in Switzerland and Sweden show many similarities. In both countries, the large majority of them did not fulfil the refugee requirements. Due to the political situation in their homeland at that time, more than four-fifths of all Somalis were not

rejected outright, however, and given stay permits based on non-asylum grounds. The big difference between the two countries is the validity of those permits: mostly limited for one year and subject to annual reviews in Switzerland, almost exclusively unlimited in Sweden. Generally, Somali claimants in Sweden obtained residence permits to a slightly higher degree than their counterparts in Switzerland.

Special emphasis is given to the recognition rate as a key measure in asylum statistics, which demonstrates clearly the advantages of the longitudinal approach. Only cohort rates, which are free of any administrative distortions, can be meaningfully compared with each other. It is proposed that in addition to the Convention recognition rate, the general recognition rate should always be calculated as well. For population statistics and from an asylum or immigration policy point of view, it is more relevant to know the total number of people who are given the legal right to remain in the country - regardless of the specific type of permit they received.

Although many differences exist between the two countries, more conclusions about those differences, as well as similarities, in handling asylum cases can be drawn from a longitudinal study like this than from the conventional national statistics.

As a result of this study, a statistical cohort data file, covering all asylum seekers between 1986 and 1996 was established in Switzerland. In Sweden, a somewhat more limited data base was created, containing only the four cohorts chosen for this study. However, it is planned to create a general data base for cohort statistics in the near future. It is hoped that this study will serve as an incentive as well as a guideline for other countries to pursue the same kind of analyses with their own data.

2. Introduction

Like most other developed countries, Sweden and Switzerland experienced a dramatic increase in refugee claims in the late 1980s and early 1990s. After 1986, figures began to soar up in Switzerland with a peak in 1991 with more than 41,600 requests. In Sweden, the sharp increase in claims started in 1984 and peaked in 1992 with more than 84,000 asylum requests.

The focus of this study are the asylum requests of Turkish and Somali nationals in the years 1992 and 1993. The main reason for choosing these cohorts was the numerical significance of those two nationalities among asylum seekers in both countries. An even bigger source, citizens of Ex-Yugoslavia, was excluded due to the fact that many of those people entered the asylum process under 'special programs', i.e. in the non-traditional way.

After excluding asylum seekers from the former Yugoslavia, who outnumbered all other nationalities by a wide margin in 1992 and 1993 (constituting over 40 percent of all applications in Switzerland and even 80 percent in Sweden), Turkish asylum seekers accounted for approximately 12 percent of all remaining asylum requests in Switzerland (but only 3 percent in Sweden). In Switzerland as well as Sweden, 14 percent of all remaining claims concerned citizens of Somalia.

Table 1 Number of Asylum Seekers in Switzerland and Sweden by Year and Country of Origin

Country of Origin	Switzerland	Sweden
<i>Turkey</i>		
1992	1'827	384
1993	1'080	256
<i>Somalia</i>		
1992	1'077	2'699
1993	2'295	738
<i>All countries without Ex-Yugoslavia</i>		
1992	11'698	15'186
•1993	12'621	8'765
<i>Grand Total</i>		
1992	17'960	84'018
•1993	24'739	37'581

Due to the lack of international recommendations and despite their growing numerical importance, the majority of asylum seekers are still excluded from official current population and migration statistics in Switzerland and Sweden. Figures for births and deaths in Switzerland, however, contain asylum seekers for the simple fact that the Swiss vital health statistics system cannot identify the residence permit of a foreigner. In Sweden, only (former) asylum seekers who are in the possession of a residence permit are included in official population statistics. As a result of the interaction between the National Population Statistics Register and the Immigration Board's register for foreigners, all residents who were initially part of the asylum applicant pool can be identified in the population register. In principle, the same applies to Switzerland as well; however, the unambiguous identification of all former asylum seekers in the Central Aliens Register can be problematic.

The main reasons for the generally complex relation between asylum and migration statistics are that, on the one hand, different sources are used and, on the other hand, different

organisations are responsible for the compilation of the statistics. The compilation of asylum statistics is the responsibility of a special agency whose main interest and approach tends to be administrative rather than purely statistical (there is often little scope for adequately describing the asylum process in statistical terms). Therefore, it seems very important that national statistical offices and immigration or asylum authorities work more closely together.

For the purpose of this study the existing asylum data base in Switzerland was analysed for the first time in statistical terms from a mostly demographic point of view. The attempt was made to define, distinguish and link different data flows within the asylum process. As a result, a statistical cohort data file, covering all asylum seekers between 1986 and 1996 was established in Switzerland. In Sweden, a somewhat more limited data base was created, containing only the four cohorts chosen for this study. However, it is planned to create a general data base for cohort statistics in the near future.

The present report begins with a summary description of the asylum processes in Switzerland and Sweden. An attempt is being made to outline the different procedural approaches that have been adopted to deal with the inflow of refugee claimants. This is followed by a description of the asylum registers in both countries. Chapter 5 provides a discussion of the concepts and definitions that were used in the context of this study. Again, special attention is given to the existing differences in the asylum process in the two countries, and how those differences were dealt with for the comparative analysis. The paper then presents the major findings. Each nationality was analysed individually, and the respective cohorts (applications of 1992 and 1993) were compared with each other. There was no attempt to compare Turkish and Somali asylum seekers with each other, as their respective asylum paths differ too much. Finally, the conclusions focus on the main problems encountered in the study and the advantages and disadvantages of the longitudinal approach in asylum statistics. A series of additional relevant tables presenting some major findings are attached in the appendix.

3. Asylum Process¹ in Switzerland and Sweden

Although the 1951 United Nations Convention Relating to the Status of Refugees (Geneva Convention) and its 1967 Protocol are widely accepted, their interpretation is left to national legislation. These show significant differences on how asylum is requested, the possibilities for appeal, the length of the asylum process etc.

Those differences are reflected in national statistics. Therefore, one should be aware of them when comparing figures of various countries. This chapter aims to outline the asylum process in Switzerland and Sweden and highlights the different procedural ways of dealing with asylum applications and the different interpretations of the reasons for recognising refugees.

3.1 Asylum Process in Switzerland

National Legal Framework

Swiss asylum policy and refugee procedures are regulated by the Asylum Law of 1979 (amended in 1983, 1986, 1990 and 1994) and the ordinances of 1990 and 1993. The draft for the 5th revision of the asylum law was discussed in Parliament in 1997. The revised law is expected to enter into force in 1998.

Institutional Framework

The Federal Office for Refugees (FOR), which was created in March 1986, deals independently with applications in the first instance. The Asylum Appeals Commission (AAC), operating since April 1992, is responsible for appeals and is an independent jurisdiction. The cantonal police authorities are independent and responsible for the enforcement of negative decisions.

Asylum Process

According to current law, an alien requesting asylum may apply in one of four ways:

- abroad (Swiss embassies or consulates)
- at border crossings
- at airports
- inside the country if the asylum seeker is already in possession of an official Swiss residence or work permit. In such cases the application is filed with the cantonal police authorities.

Asylum seekers applying from outside the country or at a border crossing (including airports) are in fact asking for a decision to enter Switzerland. This corresponds to a 'pre-screening or admission procedure', and the asylum authorities will either approve or reject such a request to enter the country. If permission is granted, the applicant will enter the standard asylum procedure in Switzerland.

¹see definitions in Chapter 5

In practice, however, asylum seekers enter Switzerland by avoiding border controls or without notifying the authorities at the border of their intent to ask for asylum and file their applications inside the country at one of the five federal reception or transit centres. (In 1996, 87 percent of all asylum seekers entered Switzerland in that way). In such cases the 'admission procedure' takes place in the centres themselves and consists of a preliminary official hearing, usually within 20 days since the filing of the application. The outcome of this hearing is either a non-consideration decision, a negative decision or a decision to further investigate the claim.

Decisions not to enter into the substance of the matter include multiple applications (previously filed applications by the same person), concealment of identity, and claims refused on the basis of the principle of 'safe country of origin' (manifestly unfounded claims) or 'country of first asylum' (if the asylum seeker had already obtained protection in another country). If asylum seekers entered Switzerland illegally, they can be returned to the neighbouring country from where they entered (such agreements exist with Germany, Austria and France). Such non-consideration decisions are subject to appeal, but the appeal does not have suspensive effect.

If not immediately rejected in the reception centres, asylum seekers are allocated to a canton for further investigation of their requests and given a foreigners' identification card which entitles the holders to remain temporarily in Switzerland. This marks the beginning of the 'standard asylum procedure'.

The *procedure in first instance* begins with a detailed hearing by cantonal police authorities or the Federal Office for Refugees. In special cases an additional third interview may be necessary. The results of the detailed hearing are:

- (a) rejection of the claim;
- (b) granting of refugee status;
- (c) granting of a non-permanent 'refugee-like status'.

The rejection of the claim for refugee status can lead to either a departure, the voluntary withdrawal of the asylum application, the disappearance of the asylum seeker or an appeal against the decision in first instance.

Asylum seekers whose applications have been rejected have the right to lodge an appeal against the decision in first instance with the Asylum Appeals Commission (*procedure in second instance*) within 30 days. All the facts are examined again and the Commission decides whether the judgement made by the FOR was reached in accordance with the provisions of asylum legislation.

During both the procedure in first and second instance the cantonal police authorities can grant residence permits based on humanitarian reasons (for people who do not meet other eligibility requirements) or other provisions of the aliens police law (e.g. for spouses of Swiss citizens). Such regulations are frequently obtained by people whose cases are still pending 4 years after the filing of the application.

The results of the Asylum Appeals Commission review are:

- (a) the reopening of the case by the Federal Office for Refugees and the eventual granting of Convention status or permanent or non-permanent status;
- (b) rejection (with no legal right to remain).

In very rare cases a negative decision by the AAC can be appealed (so-called reconsideration of an asylum application). Mostly, however, decisions by the AAC are final. In case of a rejection, a voluntary departure or an expulsion will follow. Disappearances are quite frequent, with people going into hiding either in Switzerland or leaving for another country without notification. There are many unexecuted removal orders, especially if conditions in the claimants' home country are considered to be too dangerous.

Special cases

The Swiss Government can grant asylum to refugees living temporarily in a third country where they have already been recognised as refugees, and who wish to be resettled in another country ('quota refugees²'). Admission can be made either in groups or individually. The Swiss government also established Special Programs in 1992 (for nationals of Bosnia-Herzegovina) as a temporary protection for mass movements of people fleeing widespread violence. In both cases people are granted residence permits without filing individual applications.

3.2 Asylum Process in Sweden

National Legal Framework

Swedish asylum policy and refugee procedures are regulated by the Aliens Act of 1989 (amended in 1992, 1994, 1995 and 1997).

Institutional Framework

The Swedish Immigration Board (SIV) is the competent authority for asylum applications. Even though applications for asylum were filed with the Swedish Police before 1997, the SIV has since assumed this responsibility. It is also responsible for investigating and deciding asylum applications, as well as running the reception centres. In January 1992, the Aliens Appeals Board was established as the body to decide asylum cases in the second instance.

Asylum Process

An alien requesting asylum may apply at border crossings (airports, seaports, land border) or inside the country. It is not possible to apply for asylum abroad. Despite the lack of reliable statistics, it is assumed that more than 60 percent of all asylum seekers in 1996 applied inside the country; most of them entered Sweden illegally, some legally on valid visas. The initial asylum investigation includes checks on identification, passport, fingerprinting and travel routes.

If the SIV considers a claimant to come from a country of first asylum, or if the claim seems to be manifestly unfounded (since the applicant is a citizen of a safe country of origin), the asylum seeker will be issued an entry refusal with an order for immediate enforcement. Such negative decisions during the 'pre-screening or admission procedure' are subject to appeal, but the appeal does not have suspensive effect. A decision involving an expulsion order to a safe country of origin must be taken within three months of the filing of the application. An asylum

²also referred to as 'resettled' or 'invited' refugees. Individuals who were already granted refugee status before being admitted by a country at the request of the United Nations High Commissioner for Refugees (UNHCR).

seeker, who does not come from a first country of asylum and whose claim is not considered to be manifestly unfounded, will enter the standard asylum procedure in Sweden.

Prior to the 1997 amendments to the Aliens Act, asylum in Sweden was granted according to the Geneva Convention :

- to a person who is outside the country of his/her nationality, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion;
- to a stateless person who is outside the country of his/her former habitual residence for the above-mentioned reasons.

Asylum was also granted to war resisters or to people who were unwilling to return to their country of origin because of the political situation there, and were able to plead very strongly in support of this (so-called 'de facto refugees'). Asylum seekers could also obtain residence permits on humanitarian grounds (in all those cases Convention status was not granted).

Residence permits could also be granted based on a precedent set by the Swedish Government. In April 1994, the Government decreed that asylum seeking families who had arrived in Sweden before 1 January 1993, and for whom there were no special grounds for rejection (e.g. criminal activity), be given residence permits.

As a result of the 1997 changes in the Aliens Act there will be a wider interpretation of the Geneva Convention criteria. This means that many of those claimants who earlier had been granted residence permits as de facto refugees or war resisters, will be recognised as Convention refugees instead. Permits will be granted even if it is not the authorities who persecute, but if the authorities cannot protect individuals from persecution by others (e.g. because of sexual orientation or gender).

Prior to the 1997 changes in the Aliens Act non-permanent residence status was given only in very special situations. One example were Bosnians who hold Croatian passports. They were granted temporary protection while waiting for an improvement of the situation in Bosnia. Since 1997 the government can decide that a group of asylum seekers will be given temporary protection if they cannot return to their own country because of external or internal armed conflict or environmental catastrophes.

Asylum seekers who are not granted Convention status, other permanent status or non-permanent status will receive a negative decision. A refusal by the SIV may be appealed within three weeks of the initial decision. Virtually all individuals who have received an adverse first decision will make use of the appeal procedure. The appeal is sent to the SIV which normally refers it to the Aliens Appeals Board (the second instance authority). However, if it is obvious that the initial decision was not correct, the SIV can reconsider its decision and grant a residence permit. (The SIV also has the possibility to refer applications directly to the Aliens Appeals Board without making a decision of its own, e.g. if a case of a family member is already pending in second instance). A decision by the Aliens Appeals Board is final; it is taken by court-like decision bodies, each under the chairmanship of a professional judge along with laymen who are nominated by the parties of parliament.

If the Aliens Appeals Board overturns the initial decision, the applicant will be given residence by the SIV. If the appeal is denied, the Aliens Appeals Board sends an expulsion order to the Police. In such cases the asylum seeker has the possibility to re-apply directly to the Aliens Appeals Board. The Board may suspend an expulsion order on the basis of a reapplication. A reapplication is only approved if the application is based on new grounds that have not been

adjudicated, or if it were inhumanitarian to enforce an expulsion. If a reapplication is approved, the applicant will be granted residence; if not, an expulsion order will be sent to the Police and the applicant will be deported.

Asylum seekers have two weeks to leave Sweden voluntarily. The police may keep aliens in custody if they have reason to believe that they will make themselves unavailable.

Special cases

Like Switzerland, Sweden has a program for selecting 'quota refugees' who get their residence permits before entering the country. The Swedish Immigration Board can also forward individual cases to the Government if guidelines are required on how to handle certain applications.

4. Data Sources

The data presented in this study are based on comprehensive registration systems in both countries, recording all increases and decreases in the population of asylum seekers and refugees. As a result, statistics derived from such systems are likely to reflect, with a fair level of accuracy, the genuine number of people in the asylum applicant pool.

However, special attention must be paid to the quality of administrative data being considered for statistical purposes. Sometimes information is recorded but, because it is not integral to the tasks of the administration, this information is not subject to any checks or rigorous quality control procedures. The quality requirements imposed by statistical production (coverage, reliability etc.), therefore, do not always coincide with the requirements of the register administrators (see also Chapters 6.1 and 7).

4.1 AUPER2: The Swiss Register of Asylum Seekers and Refugees

In Switzerland, the Federal Office for Refugees is responsible for the registration of asylum seekers, provisionally admitted rejected asylum seekers and recognised refugees, as well as all the administrative aspects of the asylum sphere (admission, monitoring, adjudication, care and welfare assistance etc.). A fully computerised data bank has been maintained since 1986, and a sizeable number of statistics (stock and flow data) is produced every year.

The Swiss register of asylum seekers and refugees (AUPER2) is not comparable to a common population register, in which each person is represented by a record containing all relevant information in the form of selected (sociodemographic) variables. The registration in AUPER2 is 'event or case-driven'. The data collected include demographic variables as well as asylum-oriented variables. Asylum casework or workload statistics are more frequently produced than purely demographic statistics.

AUPER2 is a relational data bank consisting of various tables connected by unique identifiers. There are three register elements:

- (1) person (as identified by a unique PIN);
- (2) file (as identified by a unique file or request number);
- (3) event (stage in the asylum process at a given time, as identified by a unique combination of event or decision codes).

The relation between the elements is as follows:

- One person is uniquely connected to one file; one file can comprise several individuals who are usually related.
- One person can be connected to several events; one event can be connected to several people.

Events are represented by a combination of individual codes. For each event, the beginning, the end and the legal validity are recorded, e.g. 'application for asylum' (date of event, date of

registration, administrative remarks), 'decision in first instance' (date of event, date of registration, nature of decision).

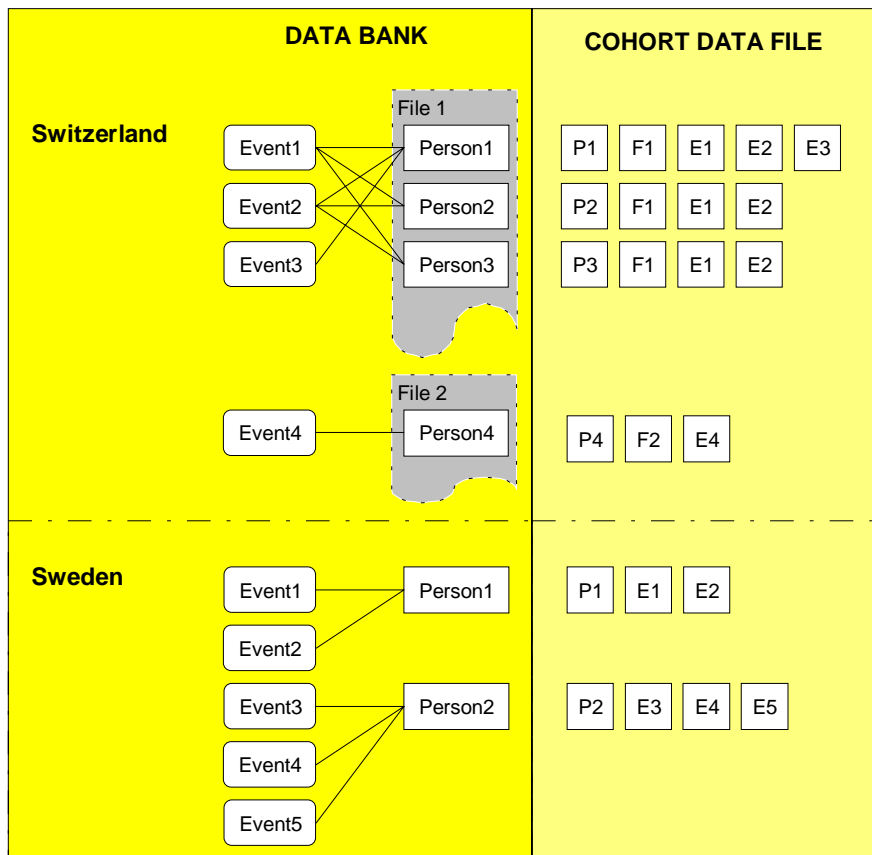
It is important to note that valid statistics cannot be produced directly from the register, as the data bank is being continuously updated. For statistical purposes extracts from the register are made on a regular basis. Such extracts cover a group of people (whatever the selection criteria) as it appears in the data base at a given time.

Special statistical files with a definite time reference, which have been subjected to editing (checked and corrected for errors, the validity of codes and the omission of data), are prepared by the Federal Statistical Office and provide the basis for compiling demographic statistics. The transformation from 'event-based' data bank to 'person-based' statistical database involves the process of data mining (defined as the process of extracting useful, previously unknown or unused information from datasets which had been created for non-statistical - usually administrative - purposes).

Limitations of data

Once an asylum seeker receives a permanent residence permit the jurisdiction of responsibility of this person shifts to the Federal Aliens Office, which is responsible for 'regular' (labour force) migration and maintains the Central Aliens Register. Entering updated information about such people ceases in AUPER2. Since the two registers use different personal identification numbers it is extremely difficult to link them satisfactorily. Because of this lack of common identifiers, it is almost impossible to follow the further path of an asylum seeker after admission to the Central Aliens Register.

Figure 1 The Swiss and Swedish Data Sources: From Event-Based to Person-Based Database



4.2 STAMM: The Swedish Register of Aliens

In Sweden, the Swedish Immigration Board (SIV) is responsible for the registration of aliens who seek different kinds of permits to enter the country. Citizenship application by foreigners are also handled by the SIV. The register (STAMM) also contains information on the reception of asylum seekers and handles the transfer of economic contributions to municipalities for accepting and housing refugees. A fully computerised data bank has been maintained since 1976, and a sizeable number of statistics (stock and flow data) is produced every year.

STAMM is a relational data base consisting of various tables connected by unique identifiers. A person can have different types of cases in the register, for example an asylum case, a visa case, a case concerning citizenship. Every person is identified by a unique file number. The file number, in combination with a special code for each kind of case, defines the type of case. For each asylum case, decision codes are added for individual events within the asylum process.

The relation between the elements in each asylum case is as follows:

- One person is uniquely connected to one file; one file cannot comprise several individuals.
- One person can be connected to several events; one event cannot comprise several persons.

Events are represented by a combination of codes. For each event, the date of the event, the date of the registration of the event, the type of event etc. are registered.

The Aliens Appeals Board maintains its own registration system. However, all decisions of the Aliens Appeals Board are also registered in STAMM. The Swedish data presented in this study derive entirely and uniquely from STAMM.

Extracts from the register are made on a regular basis. STAMM produces data for different purposes for different authorities. For statistical purposes, one file consisting of foreigners' grounds for residence permits in Sweden (e.g. refugees, family reunification, work, study, adoption) is distributed to Statistics Sweden twice a year.

4.3 The Common Data File Established for This Study

The compilation of asylum statistics requires the creation of a data file, for statistical purposes only, with individual but anonymous (person-based) records of asylum seekers. Based on the respective data banks in Sweden and Switzerland, a statistical cohort data file with a common record structure and identical coding of events was established by both countries.

Each record in the data file comprises the following variables:

a) identification variables

- personal identification number (PIN)
- file number (only for Switzerland)

b) geographical and demographic characteristics

- gender
- date of birth (day, month, year)
- country of citizenship

c) asylum events

- date of application
- place of application
- dates and results of events (e.g. decisions, appeals, withdrawals, departures etc.) within the asylum process

5. Concepts and Definitions

In order to establish a common terminology and make the data comparable, the following concepts and definitions were agreed upon within the context of the present study.

Cohort: a group of people who apply for asylum in a country during a given calendar year. Multiple applicants, i.e. people who had filed a second or following request in the same calendar year are counted only once, provided such multiple counts can be positively identified. People who had already filed an asylum application in a year prior to 1992 or 1993 and - after having left the country temporarily - applied again in 1992 or 1993, are included in the 1992 and 1993 cohorts, respectively.

Asylum seeker: any non-national who applies for asylum. 'Quota refugees', who do not apply for asylum, are therefore excluded, as are 'special programs', in which people receive temporary protection subject to asylum legislation without having applied for asylum individually.

Synonyms: 'asylum applicant', 'refugee claimant'.

Asylum process: the entire series of ordered events an asylum seeker goes through after filing an application. The asylum process consists of an official or unofficial short procedure ('admission or pre-screening procedure') to determine whether a request deserves a thorough investigation, and the subsequent standard procedure.

Asylum events: mark stages in the asylum process and are linked with specific dates (see Chapter 5.1).

Asylum applicants vs. asylum applications: all figures in this paper refer to individual asylum seekers and not to asylum applications or cases which may comprise more than one individual.

Appeal: a legal attempt to change any negative decision of the admission procedure or standard procedure. It is addressed either to the same authority which made the decision or to a higher instance authority.

Pending case: asylum case without a final decision.

Births of asylum seekers: Children born to asylum seekers during their stay in Switzerland are added to the cohorts of their parents since they are automatically included in the asylum claims of the parents. It is therefore possible that the date of application precedes the date of birth in the asylum data base.

In Sweden, a new-born's asylum application date is equal to the date of birth. Thus cohorts do not include children who were born in later years.

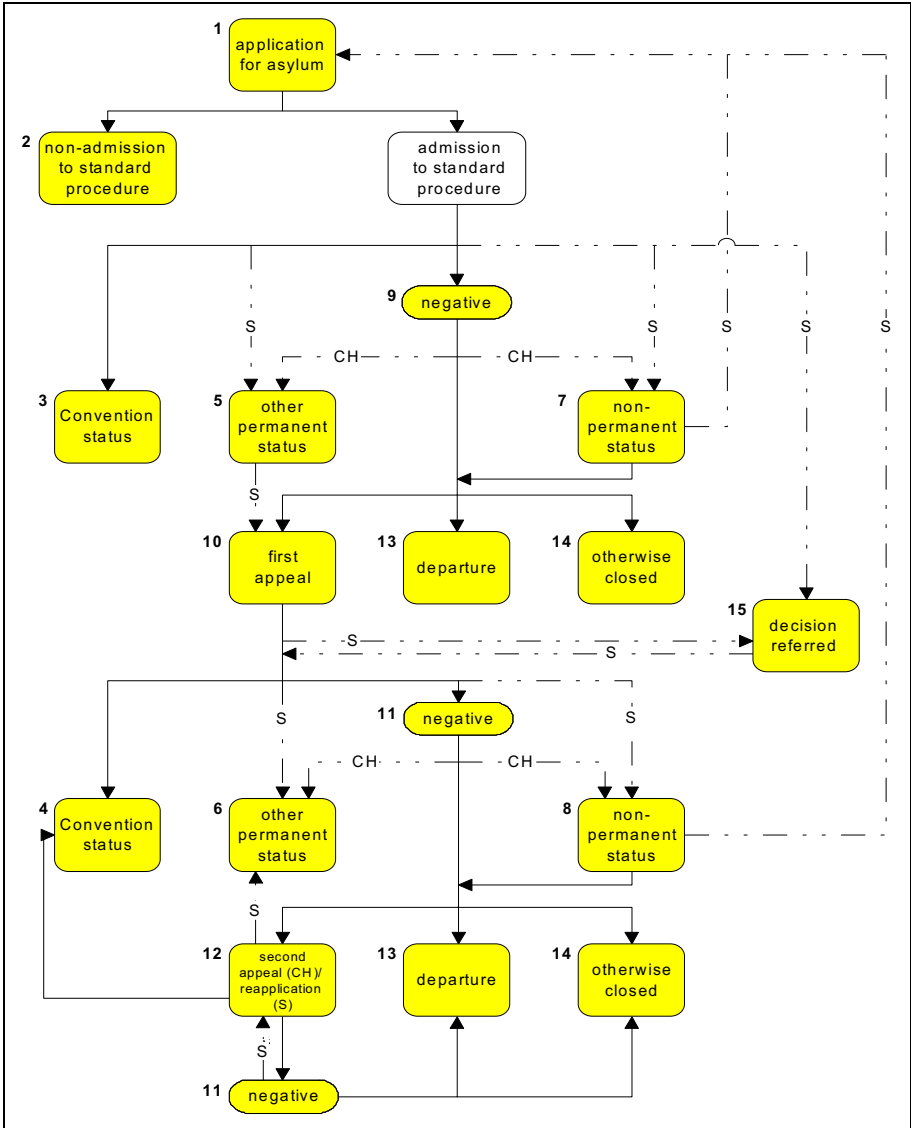
5.1 General Framework of the Asylum Process in Switzerland and Sweden

A standardised simplified flow chart painting a general picture of the asylum process in the two countries was developed. It represents current legislation and practice, and served as the conceptual framework for the structure of the common cohort data file (see Figure 2).

Various data flows can be distinguished and linked with each other within the asylum process. Fifteen distinctive asylum events were identified, each of which represents a crucial step in the potential path of an asylum seeker. The following description of *asylum events* highlights similarities and differences in the asylum processes of Switzerland and Sweden. It also points to some of the problems that were encountered during the comparative data analysis.

(1) application for asylum: demand of protection addressed to a country by a person (to be filed either outside the country, at the border or inside the country).

Figure 2 Asylum Process in Switzerland and Sweden



(2) non-admission to standard asylum procedure: asylum requests which, as a result of an official or unofficial short procedure, are deemed not worthy to be thoroughly investigated.

In Switzerland, this occurs within a few weeks of the initial filing of the application, either before entering the country (non-entry decision) or inside the country in one of the federal reception centres. In Sweden, this includes deportation to the country of first asylum and manifestly unfounded claims (based on 'safe country of origin'). Such decisions must be taken within three months of the filing of the application.

admission to standard procedure: the regular asylum or eligibility procedure for asylum seekers who passed (directly or after appeal) the preceding short 'admission or pre-screening procedure'.

(3/4) Convention status in first/second instance: asylum seekers who are granted refugee status according to the 1951 Geneva Convention and the 1967 New York Protocol provisions either in first or second instance.

(5/6) other permanent status in first/second instance: asylum seekers who do not fulfil the Geneva Convention requirements, but are given a permanent residence status due to humanitarian or other reasons either in first or second instance.

In Switzerland, such permits are usually not the immediate result of an asylum decision. Permanent residence permits are frequently given to people whose cases are still pending 4 years after the filing of the application (humanitarian cases). Other provisions of the aliens police law, e.g. marriage with a Swiss citizen, can also lead to a permanent residence status.

In Sweden, such permits are the direct result of an asylum decision since the authorities decide at the same time if asylum seekers, who have not proved to be refugees, should be allowed to stay for other reasons. Those reasons include war resistance, unwillingness to return to the home country because of the current political situation, and humanitarian aspects (e.g. the integration of children into the society after a long sojourn in Sweden).

(7/8) non-permanent status in first/second instance: asylum seekers who do not fulfil the Geneva Convention requirements, but are given a non-permanent, i.e. temporary, residence status either in first or second instance.

In Switzerland, such permits are usually the direct result of an asylum decision and granted if conditions in the claimants' home country are considered to be too dangerous for them to return immediately. These so-called 'provisional admissions' are limited to one year, subject to a regular review and therefore not automatically renewed.

In Sweden, individuals whose temporary residence permits have expired can hand in another asylum application to the SIV without having to leave the country.

(9) first negative decision: asylum request that was rejected by the first instance authority.

In Switzerland each decision that does not lead to the granting of the refugee status is considered a negative decision. It should be noted that Swiss authorities officially settle each application with a final decision, and therefore register negative decisions even in the case of withdrawals and disappearances during the asylum process. In Sweden only decisions that do not result in any stay permit are classified as negative.

(10) first appeal: appeal against a first asylum decision.

In Sweden, first appeals are addressed to the SIV. The SIV can either reconsider and overturn its previous decision or - if it upholds its earlier decision - refer the case to the Aliens Appeals Board.

(11) second or more negative decision: asylum request that was rejected by the second instance authority (Asylum Appeals Commission in Switzerland, Aliens Appeals Board in Sweden).

The rejection of a first appeal, as well as the rejection of a second appeal or reapplication are included in this category.

(12) second appeal/reapplication: appeal against a second asylum decision.

In Switzerland, an appeal against a negative decision by the Asylum Appeals Commission (so-called 'reconsideration of an asylum application') is rarely employed. In Sweden, a negative decision by the Aliens Appeals Board frequently leads to a reapplication. The reapplication procedure, moreover, can be repeated several times.

(13) departure: asylum seekers who leave the country either before a decision has been taken, after a negative decision or after the non-renewal of a temporary residence permit.

In order to be classified as 'departure', the asylum authorities must have proof of a person's departure, or at least be officially informed of a person's intention to leave the country. There are different kind of departures. Switzerland distinguishes between voluntary and forced (officially expelled) departures. In addition to this, Sweden also registers verified and probable departures.

(14) otherwise closed: asylum cases that have been officially closed by the authorities.

In Switzerland, this category includes cases which have been closed with no decision due to the withdrawal of a request, the death of the asylum seeker or the disappearance during the process (so-called 'administrative write-offs'). Disappearances after negative decisions, i.e. asylum seekers whose place of residence has become unknown and for whom no official departure announcement has been registered, are also counted as 'otherwise closed'.

The preceding description applies to Sweden as well. However, due to the fact that the official termination of an asylum case is difficult to ascertain (there is no limit to the number of times an asylum seeker can re-apply), many definitively settled cases, for which no departure could be verified, are not registered as 'otherwise closed'. Rather, their last registered event will be a 'second or more negative decision'.

(15) decision referred: The Swedish Immigration Board (SIV) has the possibility to hand over applications to the second instance for decision. While this is the normal procedure for first appeals (the applicant appeals to the SIV and not directly to the Aliens Appeals Commission),

requests can also be handed over without a previous decision in special cases (e.g. applicants with family members whose cases are already pending in second instance), or to obtain guidelines from the Government.

Two major differences between the countries in the procedural ways of dealing with asylum applications are worth being pointed out:

- The notion of 'negative decision or rejection of an application' is interpreted differently. Switzerland considers any result that does not lead to the granting of the Geneva Convention status as negative. In Sweden, however, only decisions that do not result in any stay permit are considered negative, since Convention status is only one of three equal options when allowing asylum seekers to remain in the country.
- Refugee claimants in Sweden have more possibilities to restart or prolong the asylum process without having to leave the country. The reapplication procedure, in particular, can be repeated several times. Therefore, it may be difficult to establish a definitive end to an individual's asylum process.

5.2 Recognition Rates

The recognition rate is a generally accepted measure which relates the number of asylum requests which are granted to the total number of requests. In traditional calendar-year based statistics requests that were lodged in different years are compared with each other.

There are various ways of calculating the recognition rate. It is necessary to establish which types of status are considered. Moreover, it is also important to determine which applications should be included in the number of total requests. For instance, should people who are not admitted to the standard asylum procedure or individuals who disappear or leave voluntarily during the asylum process be counted as well?

The proper calculation of a recognition rate requires a longitudinal approach, i.e. a cohort of asylum seekers has to be monitored through time. Any type of administrative distortions, such as backlogs, can thus be avoided (see also Chapter 7). The longitudinal approach was employed for the first time for selected cohorts in Switzerland and Sweden. It should be noted, however, that the predetermined time frame of the study (asylum paths were followed only up to December 31, 1996) means that not all cases had been completed. The final recognition rate of a cohort can be calculated only after all cases have been settled (there are methodological ways to overcome this deficiency, however).

The cohort data file established for this study lead to the calculation of two kinds of gross recognition rates.

- If only Convention refugees are taken into account:

Gross Convention recognition rate

= Convention status [1st/2nd instance] / total applications - pending cases

- If other statuses resulting in stay permits are included:

Gross general recognition rate

= Convention status [1st/2nd instance] + other permanent status [1st/2nd instance] + non-permanent status [1st/2nd instance] / total applications - pending cases

Net recognition rates, on the other hand, focus solely on pure asylum decisions. People who withdrew their application, disappeared or left the country before a decision was reached are excluded from the calculation, as are all types of non-asylum decisions (e.g. marriage with nationals). Calculating net recognition rates for Switzerland was not possible for technical reasons, however.

5.3 Asylum Biographies

As part of the analysis it was deemed interesting to look at the length and the characteristics of the entire asylum process of the individuals in the cohorts, as well as the time length between subsequent events in the asylum process. Since asylum seekers follow a wide range of individual paths, it is not very useful to study those time aspects for all the individuals as one single, homogenous group. Moreover, two subsequent events are hardly identical for each individual. The elapsed time between consecutive events, however, is closely related to the

nature of those events. An appeal, for instance, has to be lodged within a couple of days after the negative decision.

In order to study the time aspect inherent in each asylum process, a number of so-called 'asylum biographies' were defined. An asylum biography is characterised by a unique sequence of consecutive events in the asylum process. Each individual belonging to such a group goes through the same stages during the asylum process.

Due to the different procedural approaches of dealing with asylum applicants, it was not possible to come up with identical asylum biographies for both Switzerland and Sweden. Therefore, six distinct biographical asylum patterns were defined for each country (91 and 94 percent of all individuals in the Swiss and Swedish samples, respectively, could be assigned to those 12 biographical patterns).

Asylum seekers in Switzerland were assigned to the following asylum biographies:

<i>Type 1-CH</i>	application - non-permanent status in first instance
<i>Type 2-CH</i>	application - non-permanent status in first instance - otherwise closed or departed
<i>Type 3-CH</i>	application - first negative decision - otherwise closed or departed
<i>Type 4-CH</i>	application - first negative decision - first appeal - second negative decision - otherwise closed or departed
<i>Type 5-CH</i>	application - Convention status in first instance
<i>Type 6-CH</i>	application - first negative decision - first appeal (decision by second instance authority still pending)

Asylum seekers in Sweden were assigned to the following asylum biographies:

<i>Type 1-S</i>	application - stay permit in first instance (Convention, permanent, non-permanent status)
<i>Type 2-S</i>	application - otherwise closed or departed
<i>Type 3-S</i>	application - first negative decision - first appeal - second negative decision - (otherwise closed or departed)
<i>Type 4-S</i>	application - first negative decision - first appeal - stay permit in second instance (Convention, permanent, non-permanent status)
<i>Type 5-S</i>	application - first negative decision - first appeal - second negative decision - reapplication - stay permit in second instance (Convention, permanent, non-permanent status)
<i>Type 6-S</i>	application - first negative decision - first appeal - second negative decision - reapplication - third negative decision

Types 1-CH, 5-CH and 1-S can be considered identical, even though the final outcome of the standard procedure may be different. Also, types 4-CH and 3-S are more or less identical, despite the fact that for most of those cases in Sweden no departure or 'otherwise closed' has been registered (this is most likely due to the nature of the registration system, however).

It should be kept in mind that the asylum process is not complete yet for types 1-CH, 6-CH, 3-S and 6-S. Whereas individuals belonging to the other types have officially closed

their asylum history - either by disappearing, leaving the host countries, or having entered the 'regular', i.e. non-asylum foreign population pool -, people belonging the above-mentioned types had their asylum history interrupted by the chosen termination date of this study (December 31, 1996).

6. Results

In accordance with one of the main objectives of the study, i.e. to interpret cohort-based asylum statistics, the analysis of the data focused on four major aspects:

1. to follow a cohort during each stage of the asylum process and to determine what the status of that cohort was at the end of each calendar year;
2. to illustrate data flows for the entire observation period (from 1992/1993 to the end of 1996) for each cohort;
3. to calculate cohort-based recognition rates;
4. to determine the entire length of the asylum process and the time lapse between consecutive events for individual asylum biographies.

In a first step, attention will be drawn to the data quality aspects and some major demographic and socio-economic characteristics of the chosen cohorts.

6.1 Data Quality

Swiss Data File

According to official Swiss asylum statistics, which are drawn from a different data file than the one utilised by this study, the number of asylum requests from Turkey and Somalia in 1992 and 1993 amounted to 6,279.

Using the specially prepared data base for this study, the corresponding total came to 5,788. The difference of 491 people is probably due to the fact that the data base was established in early 1997, whereas official asylum statistics rely on files extracted from the data bank in the year which they refer to. Since the register is continuously updated and errors corrected, each subsequent extract will produce slightly different results even if it covers the same period of time.

Since the aim of this study was to analyse asylum paths and the length of time between events, a logical chronological order of events is one of the major prerequisites as far as data validity is concerned. Unfortunately, only 87.4 percent (5,061) of all records in the Swiss data base managed to fulfil this requirement:

- in 14 records the first registered event was not an asylum application;
 - in 713 records the chronological order of events was not correct.
- These records, therefore, were excluded from the analysis since an estimation of 'correct' event dates would have been pointless and in many cases not even remotely possible. A major problem area seems to be the interface between the Federal Office for Refugees (FOR) and the Asylum Appeals Commission (AAC). Data from asylum seekers pursuing legal appeals are extracted from AUPER2, updated separately by the AAC on its computers and re-inserted into AUPER2 after the involvement of the AAC ends. More than three-quarters of chronologically incorrect records involve the transfer of data between FOR and AAC.

It is assumed that these errors, which afflict both Turkish and Somali asylum seekers to a more or less equal degree, are random and will not influence the significance of the study's results.

Swedish Data File

According to official Swedish asylum statistics, the number of asylum requests from Turkey and Somalia in 1992 and 1993 amounted to 4,077.

Using the specially prepared data base for this study, the corresponding total came to 4,093. The very small difference of 16 people is due to the fact that official calendar-year statistics are extracted shortly after the end of the respective year. The register is continuously updated and one has to wait several months to get fully consolidated data. Thus later extracts can differ from earlier ones.

There were 47 records which did not display the correct chronological order necessary for this type of cohort study. These records were therefore excluded for the analysis.

Several records display a lack of logical order, i.e. certain events occur before others even though it is logically not possible (e.g. a 'second negative decision' should not occur after 'otherwise closed'). Most of these inconsistencies are due to the definition of the category 'otherwise closed'. The basic problem is that information on departures is only linked to the individual, and it has no direct relevance to the case of a person. There are 75 records which are inconsistent in this respect (concerning mainly Turkish applicants). In an additional 15 records, 'departure' is followed by some other event. Another 2 records have a second instance decision but no first instance decision. These 92 records were not excluded for the analysis. Rather, some special rules were applied to deal with the more obvious shortcomings of the registration of asylum events:

- a forced departure overrides any other type of address information on a person;
- no further events are allowed after a 'non-admission to the standard procedure' (in many cases 'non-admission to standard procedure' is followed by 'forced departure');
- the registration of a 'departure' is not valid if a person is granted a residence permit.

6.2 Asylum Cohorts in Switzerland and Sweden: Population Composition and Background

After exclusion of all records of insufficient quality, the breakdown (number of people in each cohort) is as follows:

Table 2 Number of People in Turkish and Somali Asylum Cohorts

Cohort	Switzerland		Sweden	
	Turkey	Somalia	Turkey	Somalia
1992	1'184	1'055	389	2'709
1993	649	2'173	233	715
<i>Total</i>	1'833	3'228	622	3'424

A total of 408 children born to asylum seekers in the two cohorts during their stay in Switzerland are included in the respective cohorts:

Table 3 *Swiss Asylum Cohorts: Number of Children Born in Switzerland*

Cohort	Year of Birth				
	1992	1993	1994	1995	1996
Turkey 1992	8	14	5	2	4
Turkey 1993	-	5	10	2	1
Somalia 1992	19	30	24	18	15
Somalia 1993	-	75	69	50	57

Population composition refers to the characteristics of a population, such as whether the population is young or elderly, predominantly male or female, and composed of persons arriving as single individuals or with families and relatives.

Table 4 *Main Demographic Indicators of Turkish and Somali Asylum Cohorts*

Main Indicators	Cohort			
	Turkey 1992	Turkey 1993	Somalia 1992	Somalia 1993
Switzerland				
Median Age*	24	25	16	17
Share of people 10 years and younger	19%	15%	32%	29%
Sex Ratio**	248	248	123	108
Share of principal applicants with no dependants	68%	74%	30%	34%
Sweden				
Median Age*	24	25	18	17
Share of people 10 years and younger	20%	21%	21%	34%
Sex Ratio**	254	264	173	125

* in years (at the time of application)

** males per 100 females

Switzerland: A majority of Turkish asylum seekers were between 20 and 29 years old at the time of their asylum application (40 percent in the 1992 cohort and 44 percent in the 1993 cohort, respectively) and arrived in Switzerland as principal applicants, i.e. with no dependants. Males outnumber females by a ratio of 2.5 to 1. Somalis, on the other hand, frequently arrived in Switzerland as groups (spouses and underage children) of up to 12 related individuals. Almost one-third of all applicants in both cohorts were less than 10 years old when they entered the country. The median age of Somali asylum seekers, therefore, is about 8 years below that of their Turkish counterparts.

Sweden: The population composition of the Swedish cohorts is very similar to the one displayed in Switzerland. The median age of Somali asylum seekers is 6 to 8 years inferior to the one of their Turkish counterparts, which seems to indicate that Somalis in Sweden also arrived in groups with a significant number of minors and family members accompanying the principal applicant (unfortunately, a breakdown by family composition is not available in Sweden). The typical Somali asylum seeker in those years had no identification papers, and therefore uncertain citizenship. He/she often transited through other African and European countries before arriving in Sweden. The major causes for asylum application included the

general situation in the country and its severe human, social and economic problems, and threats from rival clans.

Figure 3 Turkish and Somali Asylum Cohorts (Switzerland) by Age (at the time of application) and Sex

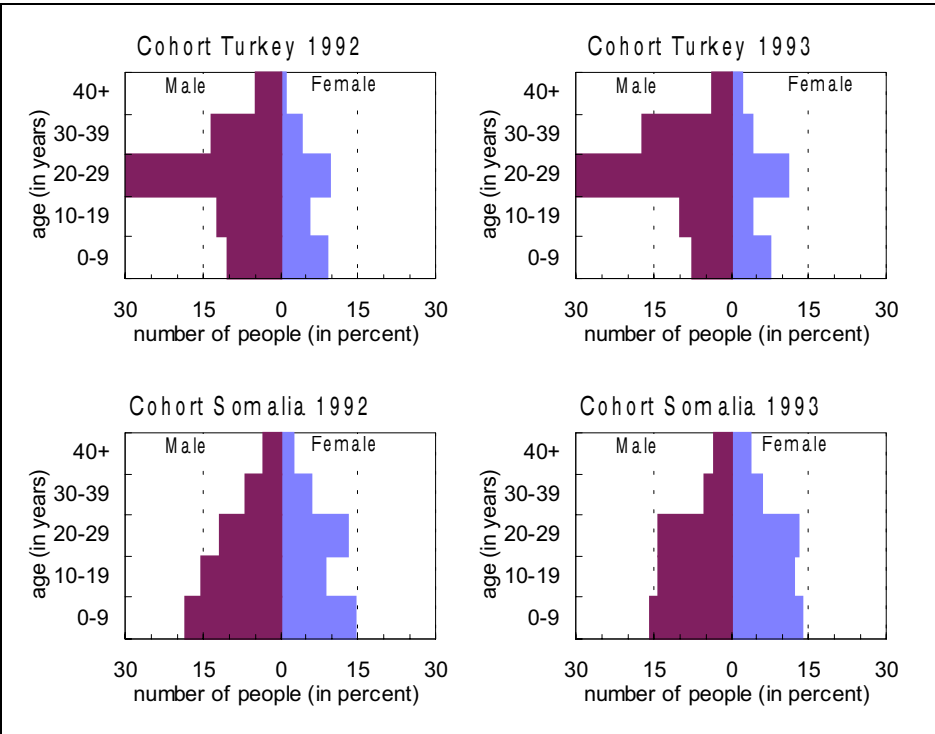
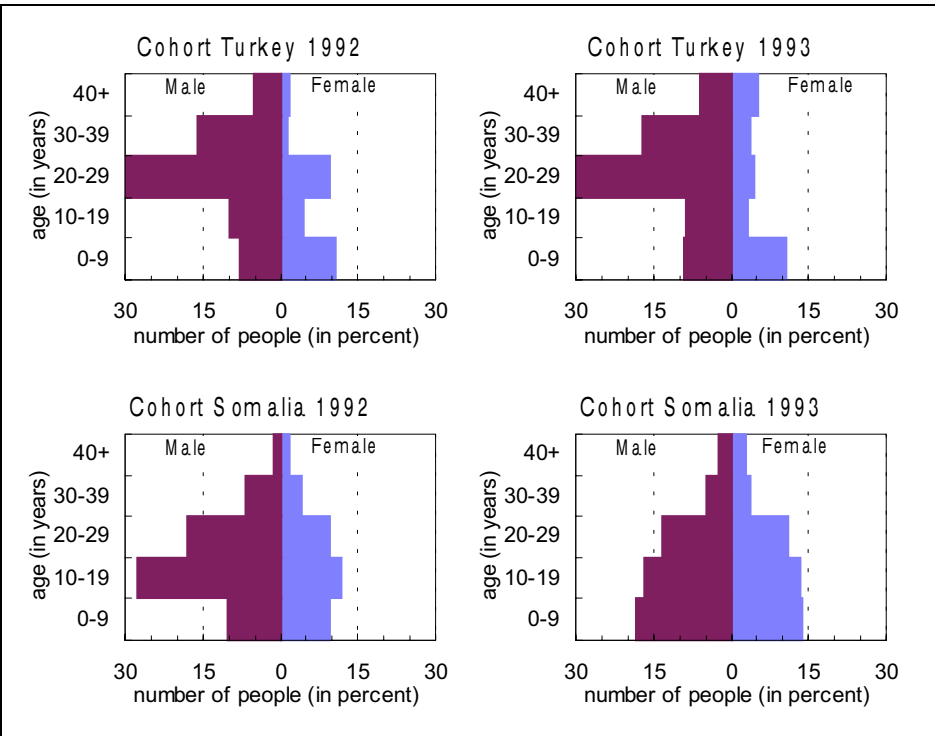


Figure 4 Turkish and Somali Asylum Cohorts (Sweden) by Age (at the time of application) and Sex



Claimants from Turkey, on the other hand, were mostly ethnic Kurds from the eastern part of the country, profiting from the vast social network established in Sweden by previous arrivals, and claiming that they were associated in one way or the other with the Kurdish Workers Party (PKK) and thus persecuted by the Turkish Government.

Place of application and previous applications

99.8 percent of all applicants (5,053 people) entered Switzerland illegally and filed their asylum requests in one of the reception centres. Since Swedish law does not permit a person to seek asylum from abroad, all individuals in Sweden applied for asylum after entering the country.

Out of the 4,046 individuals in the Swedish sample, 47 people (7 Somalis and 40 Turks) had already applied for asylum in Sweden once before (i.e. in a year prior to 1992). For 37 of those people the result of the previous application had been a non-admission to the standard procedure. In Switzerland, 87 individuals (86 of whom are of Turkish origin) had already applied for asylum at least one other time before 1992.

Since Turks and Somalis show markedly different 'asylum behaviours', it is more meaningful to analyse the two nationalities separately. The goal of such an approach is to see if the cohorts of the two selected years of application and in the two countries differ in their respective asylum paths during the observation period.

6.3 Turkish Asylum Seekers

6.3.1 Status at the End of Each Calendar Year

The following paragraphs describe the stage of individuals in the asylum process at the end of each calendar year and follow the path of the cohorts over a four or five year period.

Switzerland

The files of 4 out of 10 claimants had not been examined yet at the end of the year of application. The untreated case load was greatly reduced by the end of the following year, however; only about 8 percent of all applicants had not received a first decision.

Table 5 Cohort Turkey 1992 (Switzerland) by Year and Stage in the Asylum Process

Stage in the Asylum Process	Year (December 31)				
	1992	1993	1994	1995	1996
Without Decision	458	99	39	17	11
Non-Admission to Standard Procedure	12	12	12	12	12
Geneva Convention Status 1st instance	45	123	149	164	166
Geneva Convention Status 2nd+ instance	0	0	0	0	0
Other Permanent Status 1st instance	12	26	27	27	27
Other Permanent Status 2nd+ instance	9	24	32	35	43
Non-Permanent Status 1st instance	5	8	10	12	9
Non-Permanent Status 2nd+ instance	0	8	14	16	16
1st Negative Decision	74	26	20	10	9
1st Appeal	156	162	116	85	62
2nd+ Negative Decision	37	49	30	33	29
2nd Appeal	0	1	4	7	13
Departure	143	221	254	265	272
Otherwise Closed	233	425	477	501	515
Total	1184	1184	1184	1184	1184

While only 4 percent of the 1992 cohort had been granted refugee status after less than one year in the asylum process, slightly more than 11 percent of the 1993 cohort were already given that status. The share of recognised refugees rose to 10 percent in the 1992 cohort and 21 percent in the 1993 cohort after an additional year. Afterwards, there were only small increases in those proportions.

Table 6 Cohort Turkey 1993 (Switzerland) by Year and Stage in the Asylum Process

Stage in the Asylum Process	Year (December 31)			
	1993	1994	1995	1996
Without Decision	260	56	12	0
Non-Admission to Standard Procedure	15	15	15	15
Geneva Convention Status 1st instance	75	137	159	168
Geneva Convention Status 2nd+ instance	0	2	2	2
Other Permanent Status 1st instance	6	11	12	13
Other Permanent Status 2nd+ instance	3	8	15	18
Non-Permanent Status 1st instance	9	9	11	16
Non-Permanent Status 2nd+ instance	0	0	1	9
1st Negative Decision	74	20	16	12
1st Appeal	39	91	72	53
2nd+ Negative Decision	23	20	19	10
2nd Appeal	0	2	3	1
Departure	68	109	115	117
Otherwise Closed	77	169	197	215
Total	649	649	649	649

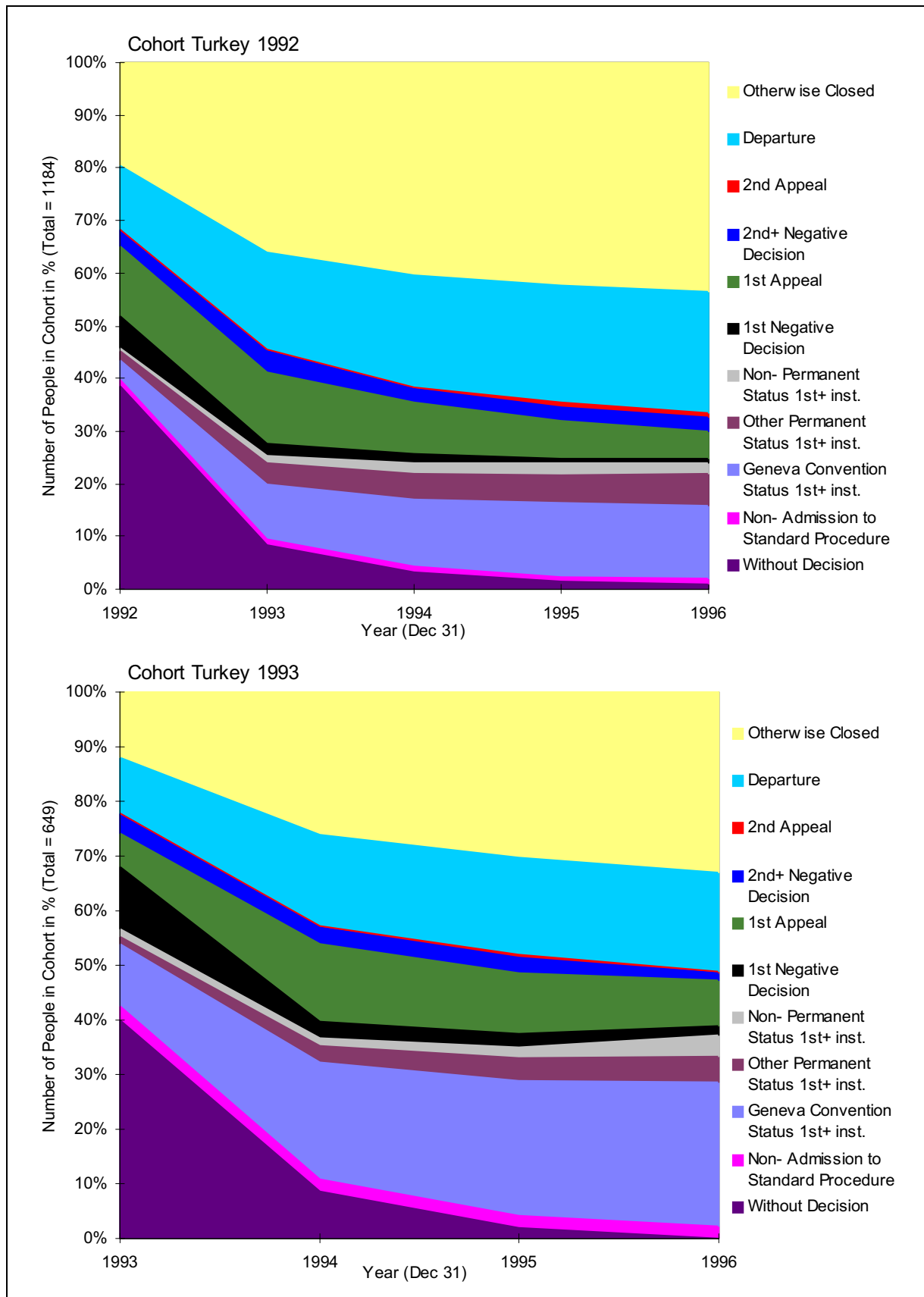
Two years after the filing of their application, about 5 percent of all claimants in both cohorts owned a permanent residence permit. In total, one of every 5 individuals who entered the Swiss asylum process in 1992 (compared with 35 percent of 1993 arrivals) was in the possession of a residence permit allowing them to remain legally in the country three years

after their application, thus effectively ending the asylum process. On the other hand, the number of Turks still awaiting a final decision at that time, and therefore also still present in Switzerland, came to about 11 percent in both groups.

After less than one year in the asylum process, the percentage of people who had already left the country was approximately the same in both cohorts (one of every ten applicants). In the 1992 group, one fifth of all cases were already closed due to disappearances and withdrawals; in the 1993 cohort closed cases made up 12 percent of the total. After three years, individuals who had left the country accounted for 22 percent (1992 cohort) and 18 percent (1993 cohort). In the 1992 group, 42 percent of all cases were closed; in the 1993 cohort closed cases made up one-third of the total. It is assumed that most of those people had left Switzerland as well.

Generally, the 1993 cohort seemed to have had the better credentials for being granted refugee status by the Swiss authorities and reached that status in a much shorter time period. The number of recognised refugees accounted for 26 percent of the total, 12 percentage points higher than for the 1992 cohort. An additional 9 percent of the individuals in the 1993 cohort were given another status to remain legally in the country. Compared with the corresponding share in the 1992 group (8 percent), there did not seem to be much of a difference in that regard, however. The number of pending cases after a three year period was about the same in both cohorts.

Figure 5 Turkish Cohorts in Switzerland by Year and Stage in the Asylum Process



Sweden

The files of more than half of all claimants had not been examined yet at the end of the year of application. The untreated case load was greatly reduced by the end of the following year, however. Two percent of the 1992 cohort and 7 percent of the 1993 cohort were not admitted to the standard asylum procedure.

While 10 percent of all claimants in the 1992 cohort owned a permanent residence permit one year after their application, 17 percent of all applicants in the 1993 cohort had already obtained that status in the same time period. After an additional year, the proportion of permanent residents, who were given their permit in first instance, increased to 14 percent in the 1992 cohort and remained stable for the 1993 group.

The granting of permanent residence status by the second instance authority sharply increased in 1994. This is probably due to the fact that special guidelines, especially concerning families who had arrived in Sweden before 1993, began to take effect (see also Chapter 3.2). The 1993 cohort profited more from those legal circumstances and obtained permanent residence in second instance after not more than two years in the asylum process. Accordingly, the 1992 cohort, having arrived in Sweden earlier, had to wait one more year for that status. The share of all applicants given permanent status in second instance amounted to 27 percent in the 1992 cohort versus 13 percent in the 1993 group. One year later the respective percentages increased again slightly due to positive decisions on reapplications.

Table 7 Cohort Turkey 1992 (Sweden) by Year and Stage in the Asylum Process

Stage in the Asylum Process	Year (December 31)				
	1992	1993	1994	1995	1996
Without Decision	290	37	1	1	1
Non-Admission to Standard Procedure	9	9	9	9	9
Geneva Convention Status 1st instance	0	2	5	5	5
Geneva Convention Status 2nd+ instance	0	1	3	3	3
Other Permanent Status 1st instance	16	38	53	53	53
Other Permanent Status 2nd+ instance	0	3	104	111	117
Non-Permanent Status 1st instance	0	0	0	0	0
Non-Permanent Status 2nd+ instance	0	0	0	0	0
1st Negative Decision	5	9	2	2	2
1st Appeal	58	139	20	10	10
2nd+ Negative Decision	4	114	131	127	124
Departure	2	10	31	34	29
Otherwise Closed	5	27	30	34	36
Total	389	389	389	389	389

Statements regarding departures and otherwise closed cases have to be made with special care. In Sweden, the handling of asylum cases does not include a general 'case is closed' notification. There is a lack of information on departures as there is no general control mechanism in place which could be applied by the asylum authorities. Therefore, there is often no further asylum-relevant information after a negative decision in second instance. The number of people with a second negative decision as their final event would be expected to decrease towards the end of 1995 and 1996 and be substituted by 'closing' events. This is not the case, however, with

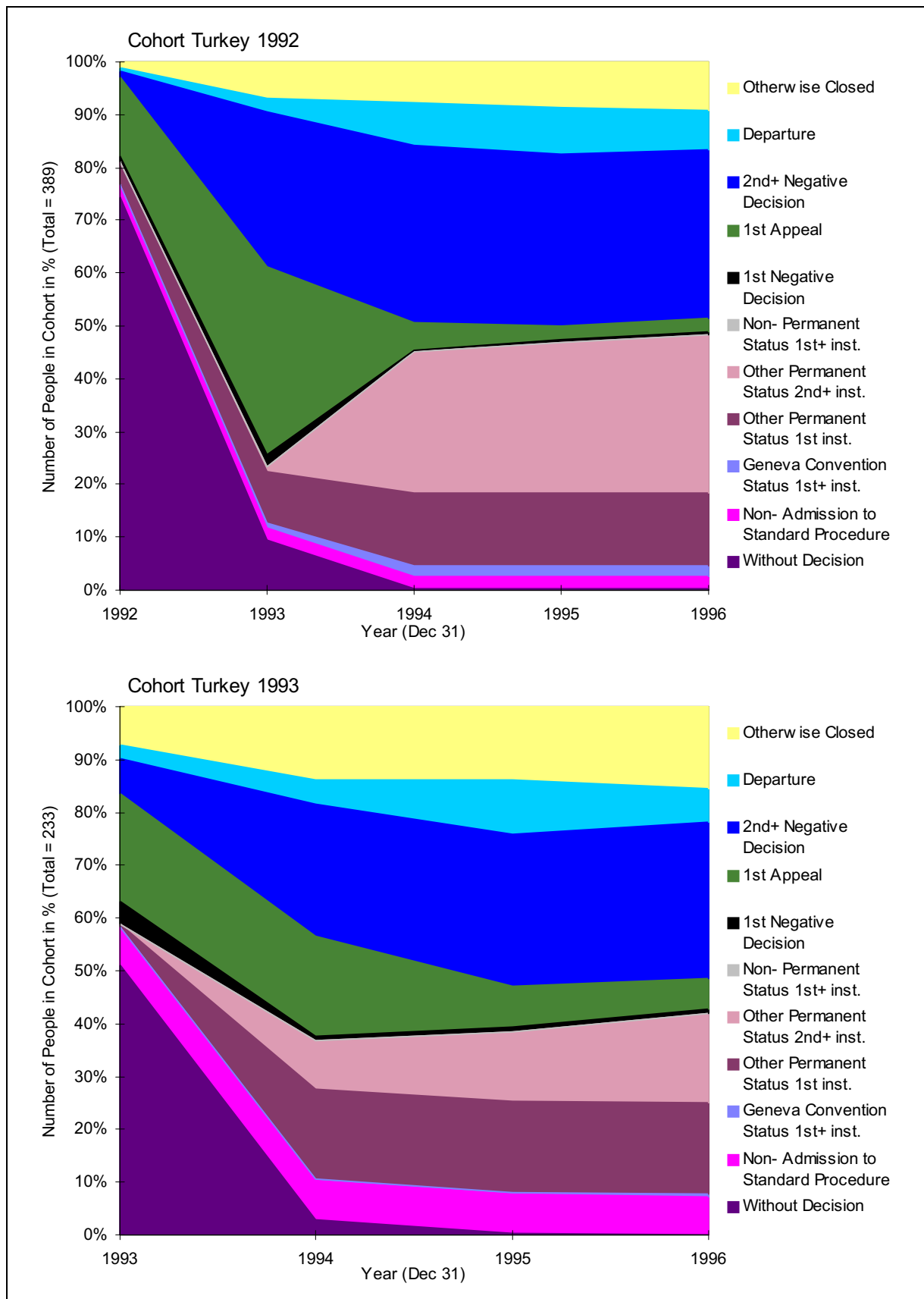
almost one-third of all applicants in both cohorts remaining in that category. It is presumed that this category constitutes an effective end to the asylum process and should not be regarded as pending cases.

Generally, the 1992 cohort was granted permanent residence to a greater extent. The proportion of such permit holders came to 46 percent, compared with only 35 percent in the 1993 cohort. The share of positive decisions in second instance is substantially greater for the 1992 cohort, topping 28 percent, which can be explained by the longer asylum process of this group. Their relatively long sojourn in Sweden resulted in stay permits given on humanitarian grounds (especially to families with children).

Table 8 Cohort Turkey 1993 (Sweden) by Year and Stage in the Asylum Process

Stage in the Asylum Process	Year (December 31)			
	1993	1994	1995	1996
<i>Without Decision</i>	119	7	1	0
<i>Non-Admission to Standard Procedure</i>	17	17	17	17
<i>Geneva Convention Status 1st instance</i>	0	1	1	1
<i>Geneva Convention Status 2nd+ instance</i>	0	0	0	0
<i>Other Permanent Status 1st instance</i>	1	39	40	40
<i>Other Permanent Status 2nd+ instance</i>	0	22	31	40
<i>Non-Permanent Status 1st instance</i>	0	0	0	0
<i>Non-Permanent Status 2nd+ instance</i>	0	0	0	0
<i>1st Negative Decision</i>	10	2	2	2
<i>1st Appeal</i>	48	44	18	13
<i>2nd+ Negative Decision</i>	15	58	67	69
<i>Departure</i>	6	11	24	15
<i>Otherwise Closed</i>	17	32	32	36
<i>Total</i>	233	233	233	233

Figure 6 Turkish Cohorts in Sweden by Year and Stage in the Asylum Process

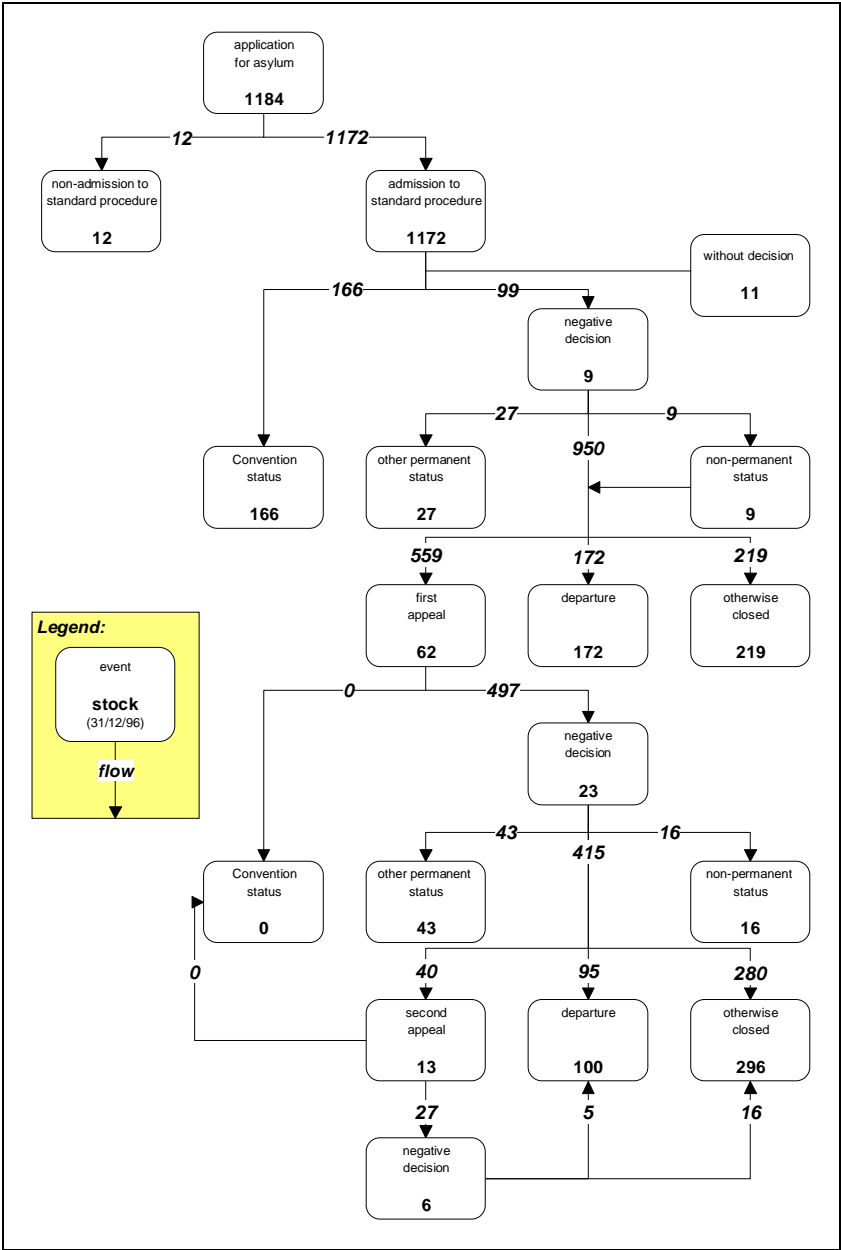


6.3.2 Data Flows

The illustration of data flows within the asylum process allows to gain an insight into what happened to a cohort during the entire observation period.

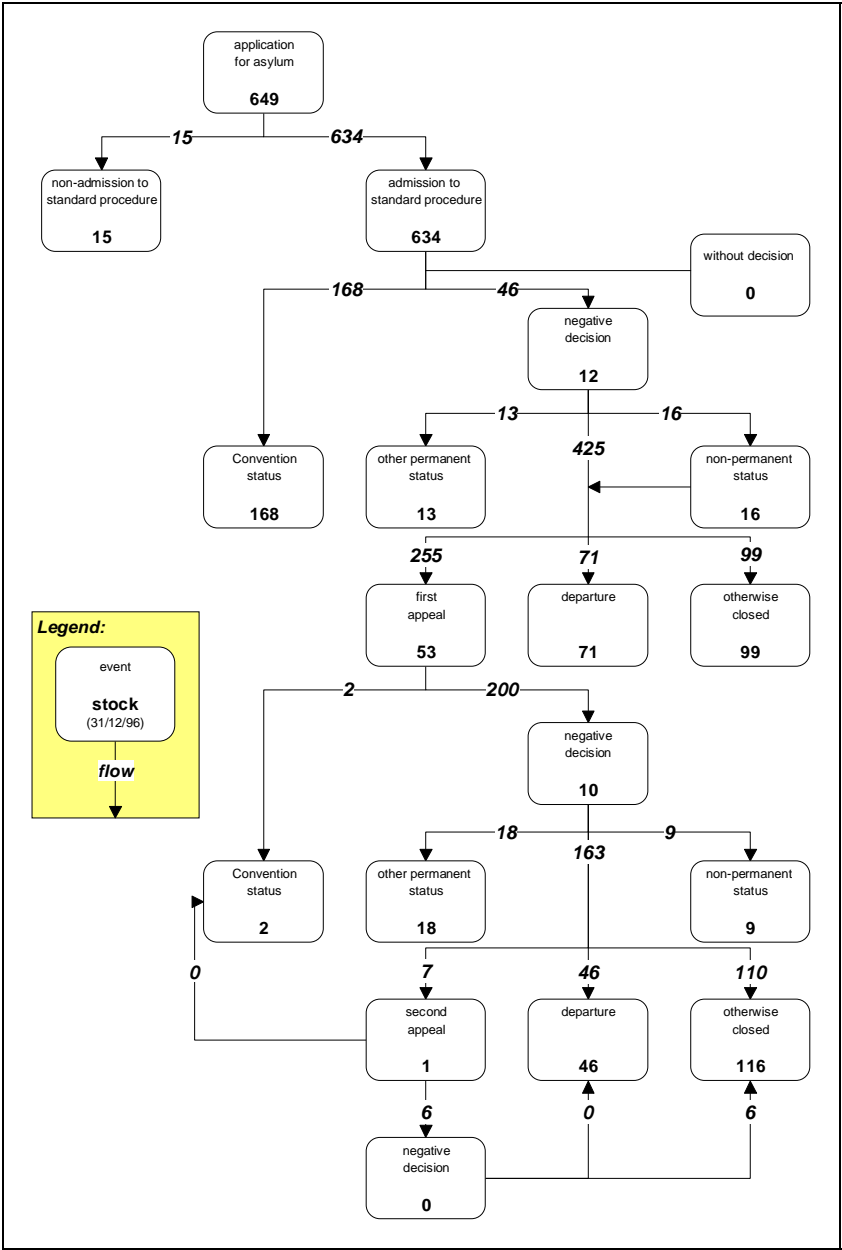
Switzerland: The extremely high percentage of applicants admitted to the standard procedure is most likely due to the fact that almost all asylum applications from Turkish individuals in those years were deemed well-founded enough to warrant a closer inspection in the standard procedure. Four-fifths and two-thirds of the 1992 and 1993 cohorts, respectively, received a negative decision in first instance. 60 percent of those claimants took advantage of the existing legal opportunities to appeal and asked for a reappraisal of their requests.

Figure 7 Cohort Turkey 1992 (Switzerland): Principal Stock and Flow Chart



Generally speaking, the second instance procedure was only moderately successful; 12 percent and 15 percent of all appellants (1992 and 1993 cohorts, respectively) had their first decision overruled, and obtained a residence permit in second instance. A total of 47 individuals in both cohorts proceeded with a second appeal, which did not lead to one single positive result, however.

Figure 8 Cohort Turkey 1993 (Switzerland): Principal Stock and Flow Chart



Sweden: The vast majority of Turkish asylum seekers were admitted to the standard procedure. Permanent residence permits were granted to only 99 individuals of both cohorts in first instance (16 percent of all applicants). The majority of them were considered to be de facto refugees (see definition in Chapter 3.2), and merely 6 people were accepted according to the Geneva Convention. Two-thirds of initially rejected claimants took advantage of the existing legal opportunities to appeal. In second instance, the majority of appellants were turned down again, but a notable number, 2 out of 5, was granted a residence permit. Approximately half of these permits were the results of reapplications. The procedure in second instance can be regarded as successful for both cohorts, and slightly more so for the 1992 cohort (43 percent of appeals resulting in a stay permit versus 31 percent in the 1993 cohort).

Figure 9 Cohort Turkey 1992 (Sweden): Principal Stock and Flow Chart

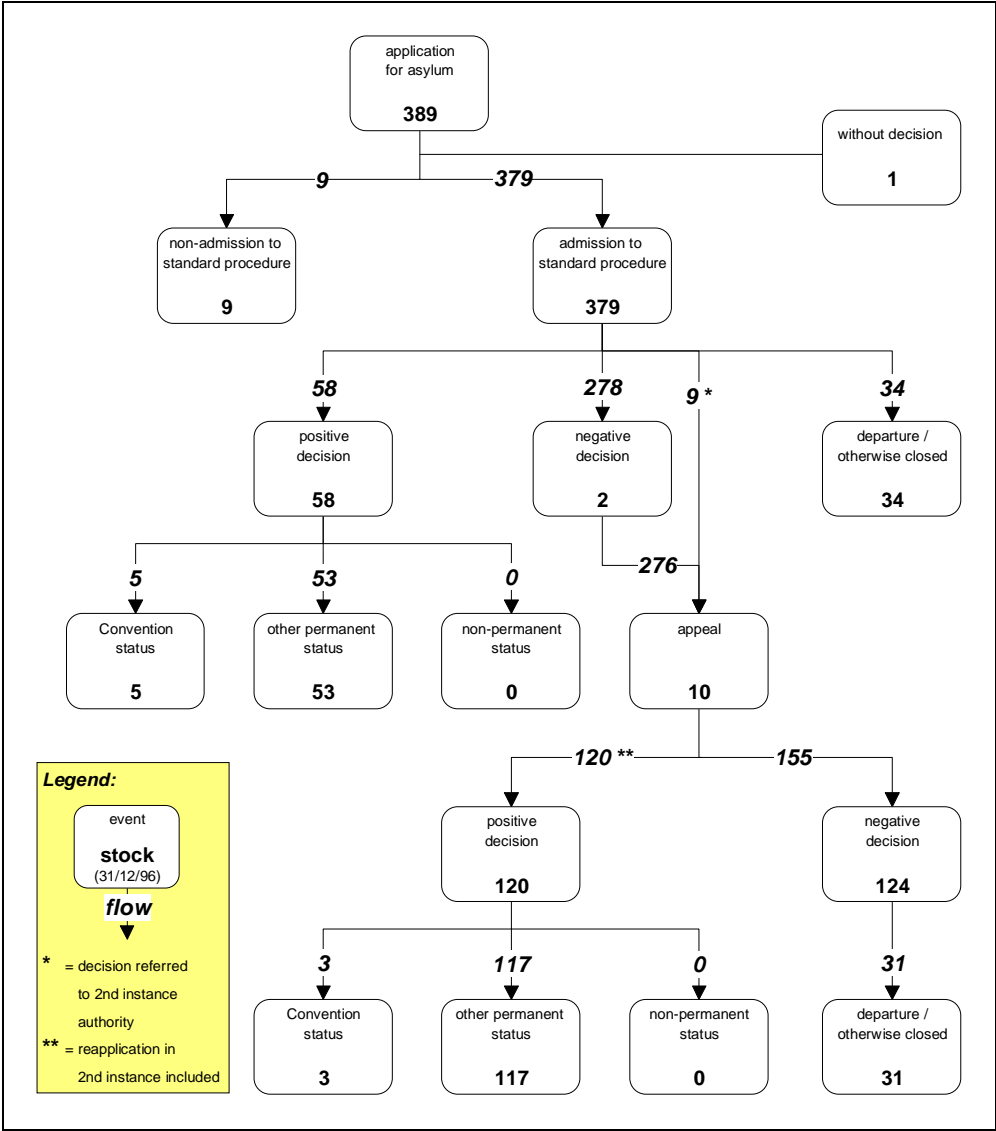
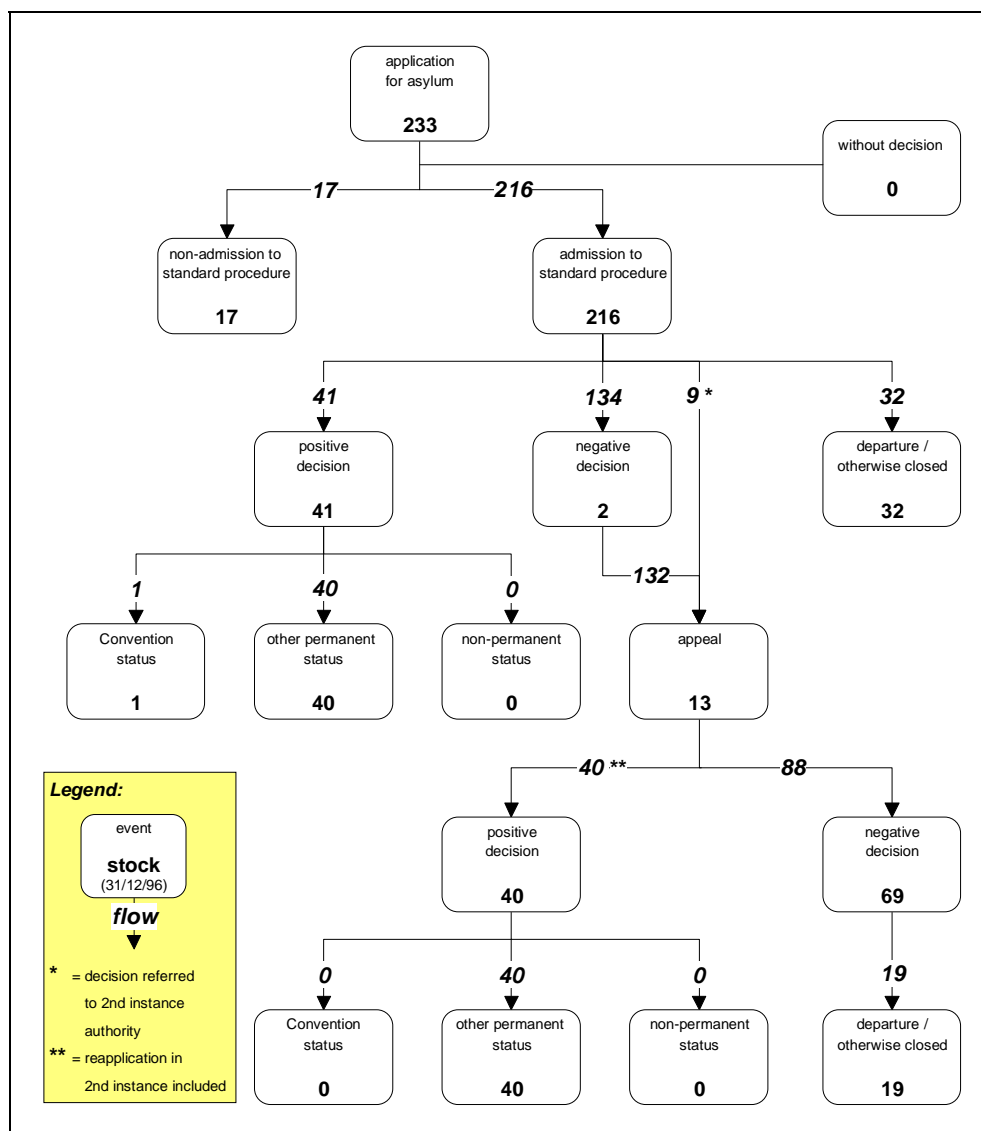


Figure 10 Cohort Turkey 1993 (Sweden): Principal Stock and Flow Chart



6.3.3 Recognition Rates

The cohort data base established for this study leads to the following gross recognition rates:

Table 9 Gross Recognition Rates of Turkish Asylum Seekers

Cohort	Gross Convention Recognition Rate		Gross General Recognition Rate	
	Switzerland	Sweden	Switzerland	Sweden
1992	15.5%	2.1%	24.3%	46.9%
1993	29.6%	0.4%	39.4%	37.5%

336 Turkish asylum seekers were recognised as refugees in Switzerland. The gross Convention recognition rate of the 1993 cohort is almost double the 1992 rate. For both groups it is

significantly higher than for other nationalities. Convention refugee status was granted to only 9 individuals in Sweden.

If other statuses resulting in stay permits are included (other permanent and non-permanent status), the gross general recognition rates of the selected cohorts are as follows: About one out of five Turkish asylum applicants in the 1992 cohort, and two out of every five applicants in the 1993 cohort obtained some kind of legal residence permit in Switzerland. In Sweden, the corresponding numbers are almost double for the 1992 cohort (resulting in nearly half of all applicants being given a stay permit) and more or less on the same level for the 1993 group.

6.3.4 Comparison of Cohorts in Switzerland and Sweden

Less than 2 percent of Turkish applicants were granted refugee status in Sweden, compared with 19 percent in Switzerland. Assuming that Turks in both countries have more or less the same grounds for refugee status, it is obvious that the Swiss and Swedish asylum authorities interpret the Geneva Convention criteria in different ways. On the other hand, it is also evident that Sweden has a broader range of humanitarian aspects which can lead to residence permits. This is illustrated by the fact that 40 percent of all applicants were given a (non-asylum) permit enabling them to stay permanently in Sweden (only 5.5 percent of Turks in Switzerland obtained such a status). As far as the total number of stay permits is concerned, Turkish claimants in Sweden could therefore claim a higher recognition rate. Two out of five applicants obtained such permits at the end of their asylum process, compared with less than one-third of all applicants in Switzerland.

The asylum process of Turkish people is usually quite complex, involving appeals, multiple decisions in several instances and uncertainty regarding the actual departure after the final rejection. Interestingly enough, more Turks proceed to the second instance in Sweden, with two-thirds appealing versus only 44 percent in Switzerland. Most of them file a reapplication after their second rejection, thus prolonging their asylum process even more. The Swedish Appeals Board reversed more lower instance decisions than its Swiss counterpart. The grounds for permits in second instance were primarily humanitarian, or they were based on a temporary practice for families and individuals whose cases had been pending for a very long time. Almost 40 percent of appellants managed to have their initial negative decisions overruled; in Switzerland, barely 10 percent of appeals were crowned with success.

6.3.5 Asylum Biographies

The following paragraphs describe the selected biographical asylum patterns in the chronological order outlined in Chapter 5.3. Only biographies that are important to the cohort under discussion are mentioned.

In Switzerland, Turks largely belong to types 3-CH and 4-CH of the selected asylum biographies (59 percent), with type 5-CH also heavily represented (19 percent). In Sweden, Turks are more or less equally represented in all asylum biographies. It is interesting to note, that in both countries 15 percent of all Turkish asylum seekers did not fit into one of the 12 pre-defined asylum patterns (see also Tables 31-43 in the annex).

Table 10 Swiss Asylum Biographies by Type and Cohort

Asylum Biography	All Cohorts	Turkey			Somalia		
		Total	1992	1993	Total	1992	1993
Biography 1-CH	1791	19	9	10	1772	520	1252
Biography 2-CH	955	2	1	1	953	319	634
Biography 3-CH	862	515	365	150	347	163	184
Biography 4-CH	530	519	372	147	11	1	10
Biography 5-CH	351	325	161	164	26	10	16
Biography 6-CH	102	101	54	47	1	0	1
Other	383	266	182	84	117	42	75
Total*	4974	1747	1144	603	3227	1055	2172

* 87 individuals, who filed their first application in a year prior to 1992 or 1993, were excluded from this analysis

Table 11 Swedish Asylum Biographies by Type and Cohort

Asylum Biography	All Cohorts	Turkey			Somalia		
		Total	1992	1993	Total	1992	1993
Biography 1-S	2903	97	57	40	2806	2269	537
Biography 2-S	497	51	26	25	446	343	103
Biography 3-S	123	115	79	36	8	5	3
Biography 4-S	72	72	62	10	0	0	0
Biography 5-S	82	82	50	32	0	0	0
Biography 6-S	115	113	73	40	2	1	1
Other	254	92	42	50	162	91	71
Total	4046	622	389	233	3424	2709	715

Type 3-CH (application - first negative decision - otherwise closed or departed)

Asylum seekers in this group waited an average of 108 days for their negative decision. All individuals in this category did not appeal and left Switzerland within 2 months. The entire asylum process lasted 173 days on the average.

Table 12 Asylum Biography 3-CH: Number of Asylum Seekers by Length of Asylum Process

Length of Time of Entire Asylum Process	Cohort Turkey	
	1992	1993
Less than 1 month	61	12
1-2 months	32	16
2-3 months	52	19
3-5 months	125	58
5-8 months	39	18
8-12 months	19	14
1-2 years	25	11
2 years and more	12	2
Mean (in days)	174	170

Types 4-CH (application - first negative decision - first appeal - second negative decision - otherwise closed or departed) **and 3-S** (application - first negative decision - first appeal - second negative decision - [otherwise closed or departed])

After waiting an average of 171 days for their rejection, a total of 519 asylum applicants in Switzerland appealed the negative decision within 2 months. After an additional 179 days, the Asylum Appeals Commission upheld the first instance decision, and the majority of rejected asylum seekers left Switzerland or disappeared roughly 3 months later. Due to the involvement of the second instance authority, the average length of stay in Switzerland for individuals in this category exceeded one year.

After waiting an average of 273 days for their rejection, a total of 115 asylum applicants in Sweden lodged an appeal. An additional 246 days later, the Aliens Appeals Board upheld the first instance decision. Since no reapplication was filed, it must be assumed that the asylum process for this group is effectively over (even though in many cases no departure or disappearance was registered). The average length of stay in Sweden came to 572 days, which is one-fifth longer than the corresponding one in Switzerland.

Table 13 Asylum Biographies 4-CH and 3-S: Number of Asylum Seekers by Length of Asylum Process

Length of Time of Entire Asylum Process	Cohort Turkey			
	Asylum Biography 4-CH		Asylum Biography 3-S	
	1992	1993	1992	1993
Less than 1 month	0	0	0	0
1-2 months	0	0	2	3
2-3 months	0	0	0	0
3-5 months	48	26	1	0
5-8 months	91	28	0	0
8-12 months	49	22	9	0
1-2 years	111	48	52	23
2 years and more	73	23	15	10
Mean (in days)	486	431	564	589

Types 5-CH (application - Convention status in first instance) **and 1-S** (application - stay permit in first instance [Convention, permanent, non-permanent status])

Table 14 Asylum Biographies 5-CH and 1-S: Number of Asylum Seekers by Length of Asylum Process

Length of Time of Entire Asylum Process	Cohort Turkey			
	Asylum Biography 5-CH		Asylum Biography 1-S	
	1992	1993	1992	1993
Less than 1 month	6	35	9	0
1-2 months	4	17	1	0
2-3 months	11	11	3	1
3-5 months	21	24	4	5
5-8 months	26	9	6	5
8-12 months	26	15	2	8
1-2 years	42	36	32	21
2 years and more	25	17	0	0
Mean (in days)	411	283	340	378

Geneva Convention status was granted after an average stay in Switzerland of 346 days. The two cohorts differ significantly. While it took the 1992 cohort more than one year (411 days) to be accepted as recognised refugees, the 1993 cohort obtained their refugee status in a much shorter time period (283 days or almost one-third faster).

In Sweden, the majority of individuals in this category were not granted Convention status; rather, they were given a permanent residence permit after an asylum process which in length almost mirrored the one in Switzerland.

Type 6-CH (*application - first negative decision - first appeal [decision by second instance authority still pending]*)

101 Turkish asylum seekers were still waiting for a final decision at the end of 1996 after having lodged an appeal to their first negative decision. Interestingly, it took up to three times as long for this group to receive the first negative decision than it took the individuals of types 3-CH and 4-CH. Obviously, the asylum authorities postponed the perusal of these files for quite a while or needed much more time to reach a decision. These individuals have already been in Switzerland for an average of more than four years (1,657 days and 1,320 days for the 1992 and 1993 cohorts, respectively).

Table 15 Asylum Biography 6-CH: Number of Asylum Seekers by Length of Asylum Process

Length of Time of Entire Asylum Process	Cohort Turkey	
	1992	1993
Less than 1 month	0	0
1-2 months	0	0
2-3 months	0	0
3-5 months	0	0
5-8 months	0	0
8-12 months	0	0
1-2 years	0	0
2 years and more	54	47
Mean (in days)	1657	1320

Type 2-S (*application - otherwise closed or departed*)

Eight percent of all individuals in the Swedish sample withdrew their applications or left the country even before a decision could be reached after an average stay in Sweden of 237 days.

Table 16 *Asylum Biography 2-S: Number of Asylum Seekers by Length of Asylum Process*

Length of Time of Entire Asylum Process	Cohort Turkey	
	1992	1993
Less than 1 month	0	0
1-2 months	1	0
2-3 months	0	0
3-5 months	10	12
5-8 months	7	5
8-12 months	6	2
1-2 years	2	6
2 years and more	0	0
Mean (in days)	237	237

Type 4-S (application - first negative decision - first appeal - stay permit in second instance [Convention, permanent, non-permanent status])

Asylum seekers in this category appealed their first negative decision, which they received after 351 days on the average. The Aliens Appeals Board overruled that decision after a further 288 days and granted a stay permit. Due to the involvement of the second instance authority, it took close to two years to end the asylum process.

Table 17 *Asylum Biography 4-S: Number of Asylum Seekers by Length of Asylum Process*

Length of Time of Entire Asylum Process	Cohort Turkey	
	1992	1993
Less than 1 month	0	0
1-2 months	0	0
2-3 months	0	0
3-5 months	0	0
5-8 months	0	0
8-12 months	0	2
1-2 years	46	7
2 years and more	16	1
Mean (in days)	669	558

Type 5-S (application - first negative decision - first appeal - second negative decision - reapplication - stay permit in second instance [Convention, permanent, non-permanent status])

The 1992 cohort obtained their first negative decision faster than the 1993 cohort. After an appeal to the Aliens Appeals Board, the first instance decision was confirmed after an average waiting period of 211 days. All the individuals in this category filed a reapplication afterwards. Since new evidence against an expulsion order obviously came to light, the second instance authority reversed its initial negative decision and granted a stay permit. The reapplication procedure lasted almost 100 days longer for the 1993 cohort. Turks in both groups received their stay permits after an asylum process which lasted more than two years.

Table 18 *Asylum Biography 5-S: Number of Asylum Seekers by Length of Asylum Process*

Length of Time of Entire Asylum Process	Cohort Turkey	
	1992	1993
Less than 1 month	0	0
1-2 months	0	0
2-3 months	0	0
3-5 months	0	0
5-8 months	0	1
8-12 months	0	0
1-2 years	17	10
2 years and more	33	21
Mean (in days)	867	885

Type 6-S (*application - first negative decision - first appeal - second negative decision - reapplication - third negative decision*)

The applications of 113 Turkish claimants were rejected by the Swedish Immigration Board after an average of 266 days. After an appeal to the second instance authority, the first decision was confirmed after an additional 242 days. All the individuals in this category filed a reapplication afterwards. Since no new evidence against the expulsion order came to light, the Aliens Appeals Board upheld its initial negative decision. As in type 5-S, the reapplication procedure resulted in an extended asylum process which lasted more than two years.

Table 19 *Asylum Biography 6-S: Number of Asylum Seekers by Length of Asylum Process*

Length of Time of Entire Asylum Process	Cohort Turkey	
	1992	1993
Less than 1 month	0	0
1-2 months	1	2
2-3 months	0	0
3-5 months	1	0
5-8 months	0	1
8-12 months	8	0
1-2 years	18	10
2 years and more	45	27
Mean (in days)	872	868

6.4 Somali Asylum Seekers

6.4.1 Status at the End of Each Calendar Year

The following paragraphs describe the stage of individuals in the asylum process at the end of each calendar year and follow the path of the cohorts over a four or five year period.

Switzerland:

The files of 3 out of 5 claimants of the 1992 cohort had not been examined yet at the end of the year of application. This compares with only 37 percent of untreated applications in the 1993 cohort. The lower number of untreated files in the latter group may be the result of the authorities' familiarity with case histories of Somali asylum seekers. Due the civil war in Somalia at that time, it was obviously relatively easy to make quick decisions regarding the

plight of those people. The 1992 case load was greatly reduced by the end of the following year, however; only about 9 percent of all applicants had not received a first decision.

On the other hand, 27 percent of the 1992 group and nearly half of the 1993 cohort were given a non-permanent residence permit after less than one year in the asylum process. This proportion increased again significantly the following year, resulting in about two-thirds of individuals in either cohort residing in Switzerland with such a permit. The share of temporarily admitted people dropped by 9 and 10.5 percentage points (1992 and 1993 cohorts, respectively) after two additional years, however. This decrease is due to the fact that those residence cards are subject to an annual review and are not automatically renewed. Even so, more than half of all applicants were still legally residing in Switzerland after three years.

After less than one year in the asylum process, the percentage of people whose cases were already closed was approximately the same in both cohorts (one of every ten applicants). Due to the emigration of rejected permit holders, the rise of 'otherwise closed' cases, which primarily include disappeared individuals, was quite significant in the following years (more than tripling in each cohort). All throughout the asylum process, officially registered departures of Somali play a surprisingly small role, reaching a high of only 3.5 percent after three years.

Generally, Somali asylum seekers entering Switzerland in 1992 or 1993 did not fulfil the refugee status requirements. Out of 3,228 individuals in the study, only 26 were recognised as refugees by the Swiss authorities. However, two-thirds received temporary residence status and were given the right to reside legally in Switzerland for a certain period of time between 1992 and 1996. For both types of regulations, the two cohorts do not differ sharply, even though the percentage of temporarily admitted Somalis is slightly higher (7 percentage points) in the 1993 group.

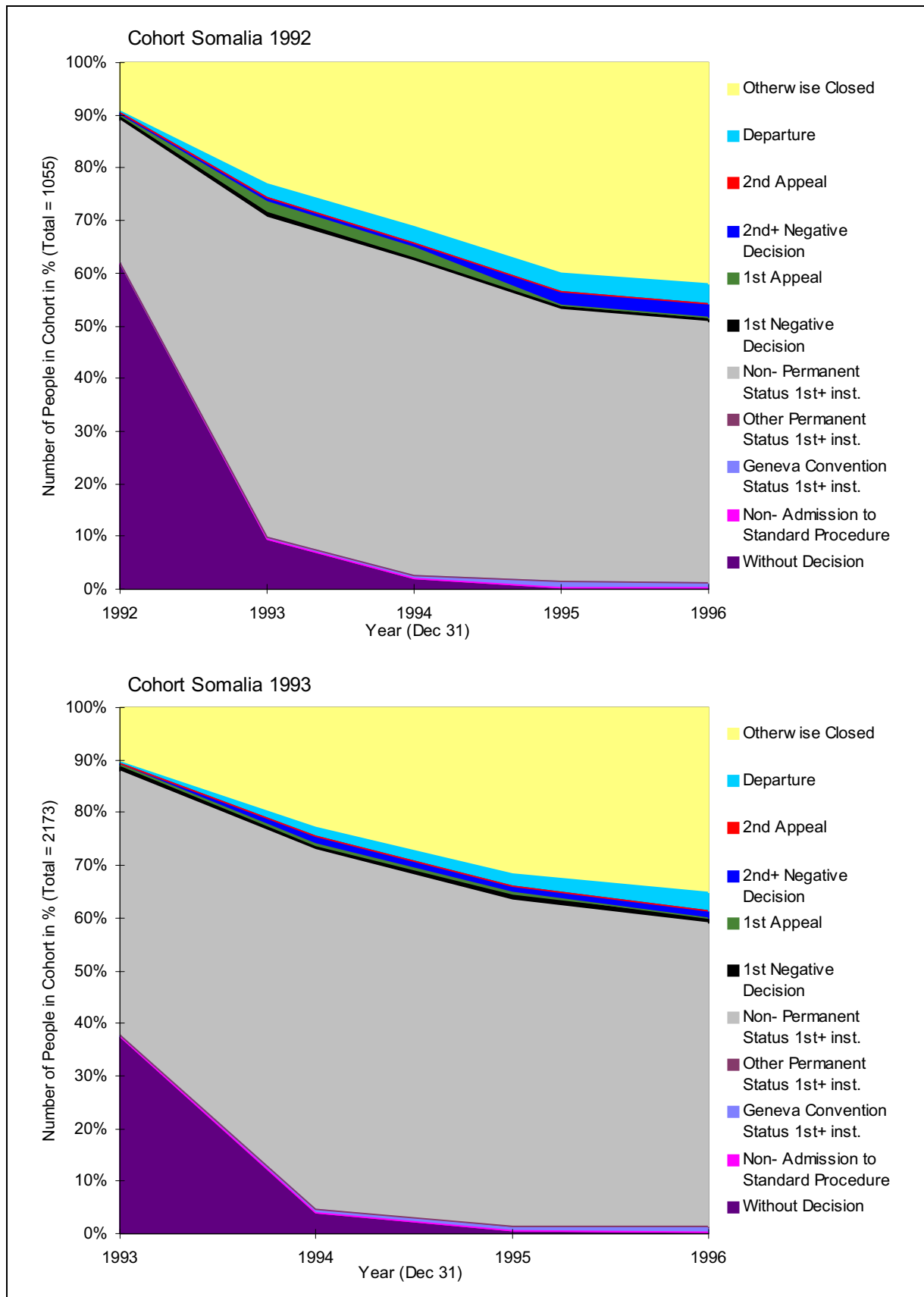
Table 20 Cohort Somalia 1992 (Switzerland) by Year and Stage in the Asylum Process

Stage in the Asylum Process	Year (December 31)				
	1992	1993	1994	1995	1996
<i>Without Decision</i>	650	98	18	1	0
<i>Non-Admission to Standard Procedure</i>	3	3	3	3	3
<i>Geneva Convention Status 1st instance</i>	0	1	6	10	10
<i>Geneva Convention Status 2nd+ instance</i>	0	0	0	0	0
<i>Other Permanent Status 1st instance</i>	0	0	0	0	0
<i>Other Permanent Status 2nd+ instance</i>	0	0	0	0	0
<i>Non-Permanent Status 1st instance</i>	285	644	629	544	521
<i>Non-Permanent Status 2nd+ instance</i>	0	0	0	1	1
<i>1st Negative Decision</i>	8	8	6	6	6
<i>1st Appeal</i>	4	21	21	3	4
<i>2nd+ Negative Decision</i>	4	10	10	27	27
<i>2nd Appeal</i>	0	0	0	0	0
<i>Departure</i>	5	27	33	38	39
<i>Otherwise Closed</i>	96	243	329	422	444
<i>Total</i>	1055	1055	1055	1055	1055

Table 21 Cohort Somalia 1993 (Switzerland) by Year and Stage in the Asylum Process

Stage in the Asylum Process	Year (December 31)			
	1993	1994	1995	1996
<i>Without Decision</i>	811	81	7	3
<i>Non-Admission to Standard Procedure</i>	4	4	4	4
<i>Geneva Convention Status 1st instance</i>	8	16	16	16
<i>Geneva Convention Status 2nd+ instance</i>	0	0	0	0
<i>Other Permanent Status 1st instance</i>	0	0	0	0
<i>Other Permanent Status 2nd+ instance</i>	0	0	4	6
<i>Non-Permanent Status 1st instance</i>	1084	1481	1346	1254
<i>Non-Permanent Status 2nd+ instance</i>	0	0	0	1
<i>1st Negative Decision</i>	20	16	20	18
<i>1st Appeal</i>	6	11	10	2
<i>2nd+ Negative Decision</i>	7	29	29	31
<i>2nd Appeal</i>	0	0	0	0
<i>Departure</i>	9	39	49	76
<i>Otherwise Closed</i>	224	496	688	762
<i>Total</i>	2173	2173	2173	2173

Figure 11 Somali Cohorts in Switzerland by Year and Stage in the Asylum Process



Sweden:

In both cohorts, the files of 7 out of 10 claimants had not been examined yet at the end of the year of application. The untreated 1993 case load was greatly reduced by the end of the following year. However, one year after filing their application, more than 45 percent of the 1992 applicants still hadn't received their first decision. This may be explained by the lack of then existing guidelines for the treatment of Somali asylum cases. Only after the Government issued a series of decisions in July 1993 (which, based on an evaluation of the situation in Somalia, concluded that most people were entitled to stay permanently in Sweden), work began on the backlog that had piled up during 1991 and 1992. The number of untreated cases was thus sharply reduced.

A quarter of the 1992 group and 14 percent of the 1993 cohort were given a permanent residence permit on humanitarian grounds after less than one year in the asylum process. In the 1993 cohort, this proportion increased dramatically the following year, resulting in more than two-thirds of individuals residing in Sweden with such a permit. Consequently, the asylum process was already mostly finished for that group at the end of 1994. Due to the lack of the above-mentioned Government guidelines, the 1992 cohort displayed a less speedy increase in permanent permit holders, with only 44 percent receiving that status after two years in the asylum process. One year later, this share had reached more than 83 percent, however.

Otherwise closed cases, i.e. disappearances and withdrawals during the asylum process even before a first decision could be reached, play a surprisingly big role. In the 1993 cohort, the cases of 6 percent of all Somali applicants were already closed after less than one year in the asylum process. The proportion of otherwise closed cases increased further in the subsequent year, reaching 14 percent and 8 percent in the 1992 and 1993 cohorts, respectively. It is notable that the number of positively identified departures is almost negligible for both cohorts.

Table 22 Cohort Somalia 1992 (Sweden) by Year and Stage in the Asylum Process

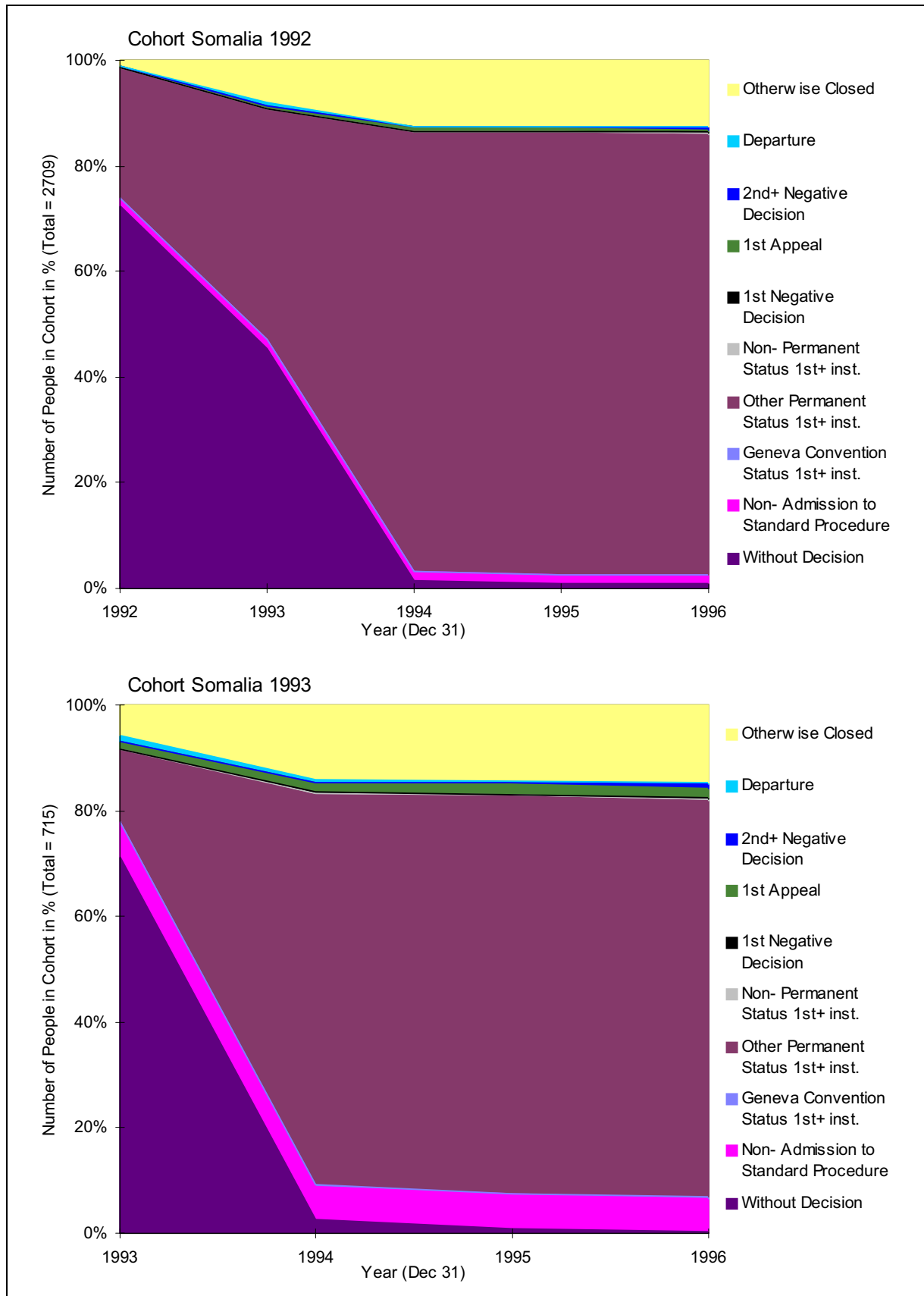
Stage in the Asylum Process	Year (December 31)				
	1992	1993	1994	1995	1996
<i>Without Decision</i>	1962	1233	37	26	21
<i>Non-Admission to Standard Procedure</i>	36	46	46	46	46
<i>Geneva Convention Status 1st instance</i>	0	0	0	0	0
<i>Geneva Convention Status 2nd+ instance</i>	0	0	0	0	0
<i>Other Permanent Status 1st instance</i>	670	1181	2254	2261	2261
<i>Other Permanent Status 2nd+ instance</i>	0	0	1	1	1
<i>Non-Permanent Status 1st instance</i>	0	0	5	8	9
<i>Non-Permanent Status 2nd+ instance</i>	0	0	0	0	0
<i>1st Negative Decision</i>	1	1	2	2	2
<i>1st Appeal</i>	7	13	20	18	14
<i>2nd+ Negative Decision</i>	0	1	2	3	11
<i>Departure</i>	1	14	2	3	1
<i>Otherwise Closed</i>	32	220	340	341	343
Total	2709	2709	2709	2709	2709

Generally, Somali asylum seekers entering Sweden in 1992 or 1993 did not fulfil the refugee status requirements. However, four-fifths of all applicants received permanent or temporary residence status and were given the right to reside legally in Sweden. The two cohorts do not differ sharply, even though the percentage of admitted Somalis is slightly higher (8.4 percentage points) in the 1993 group. The asylum process went quicker for that group, which could profit from the establishment of Government guidelines in the middle of 1993. Of additional interest is the fact that a much larger percentage of Somalis who applied for asylum in 1993 were not admitted to the standard procedure (6 percent versus 2 percent in 1992).

Table 23 Cohort Somalia 1993 (Sweden) by Year and Stage in the Asylum Process

Stage in the Asylum Process	Year (December 31)			
	1993	1994	1995	1996
<i>Without Decision</i>	510	18	7	2
<i>Non-Admission to Standard Procedure</i>	46	46	46	46
<i>Geneva Convention Status 1st instance</i>	0	1	1	1
<i>Geneva Convention Status 2nd+ instance</i>	0	0	0	0
<i>Other Permanent Status 1st instance</i>	99	527	536	536
<i>Other Permanent Status 2nd+ instance</i>	0	1	1	1
<i>Non-Permanent Status 1st instance</i>	0	1	1	1
<i>Non-Permanent Status 2nd+ instance</i>	0	1	1	1
<i>1st Negative Decision</i>	1	3	1	1
<i>1st Appeal</i>	9	12	14	14
<i>2nd+ Negative Decision</i>	0	0	2	5
<i>Departure</i>	8	4	3	2
<i>Otherwise Closed</i>	42	101	102	105
<i>Total</i>	715	715	715	715

Figure 12 Somali Cohorts in Sweden by Year and Stage in the Asylum Process



6.4.2 Data Flows

Switzerland: Only 16 percent and 9 percent of the 1992 and 1993 cohorts, respectively, received a negative decision in first instance. Therefore, only about 3 percent of all applicants proceeded to the second instance, where their requests were not much more successful. One single appellant in the 1992 cohort and 7 individuals in the 1993 cohort had their first negative decisions overruled. More importantly, however, about two-fifths of all temporarily admitted Somalis had their residence permits revoked after some time (mainly because of the improved situation in their homeland), resulting in their departure or disappearance from Switzerland.

Figure 13 Cohort Somalia 1992 (Switzerland): Principal Stock and Flow Chart

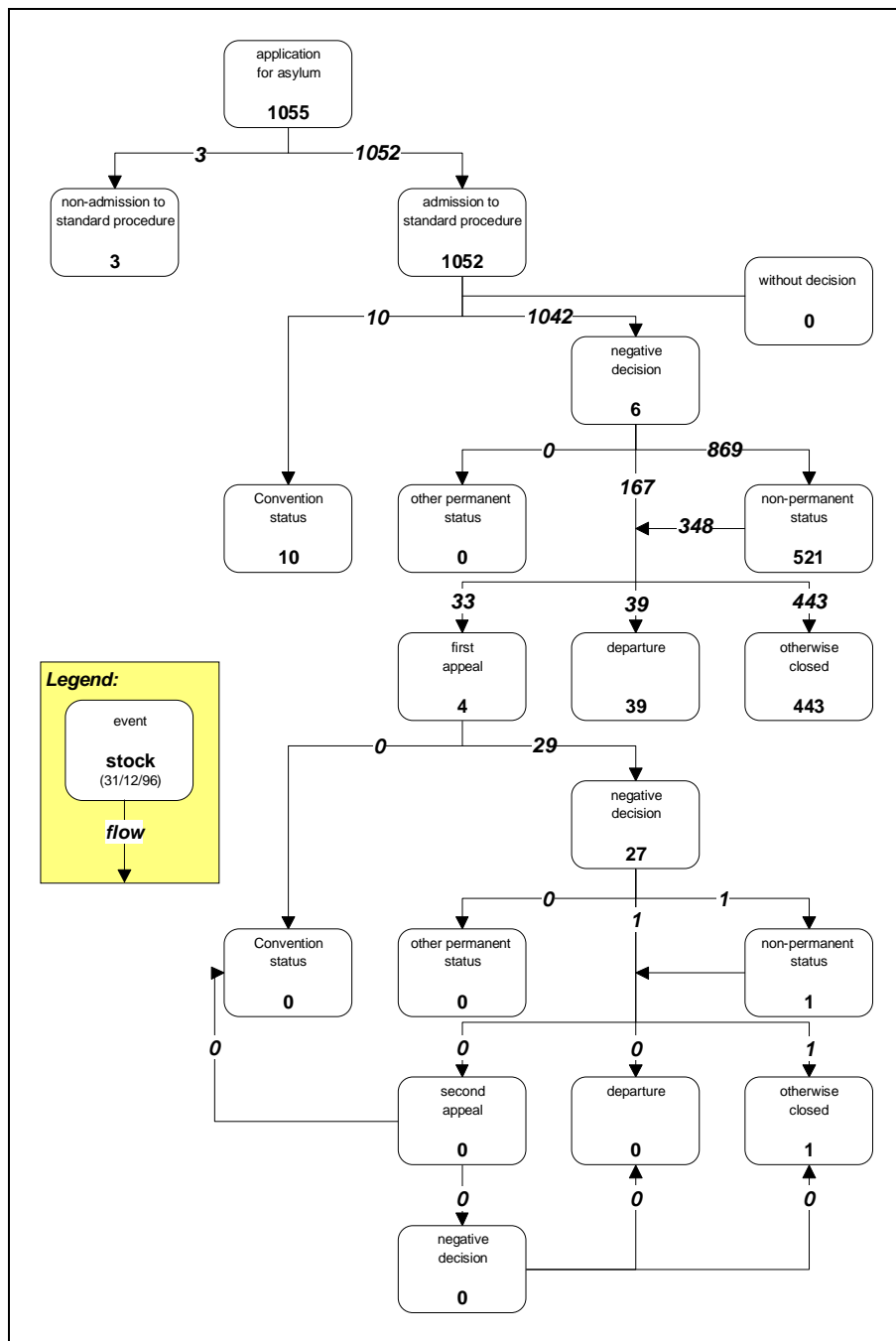
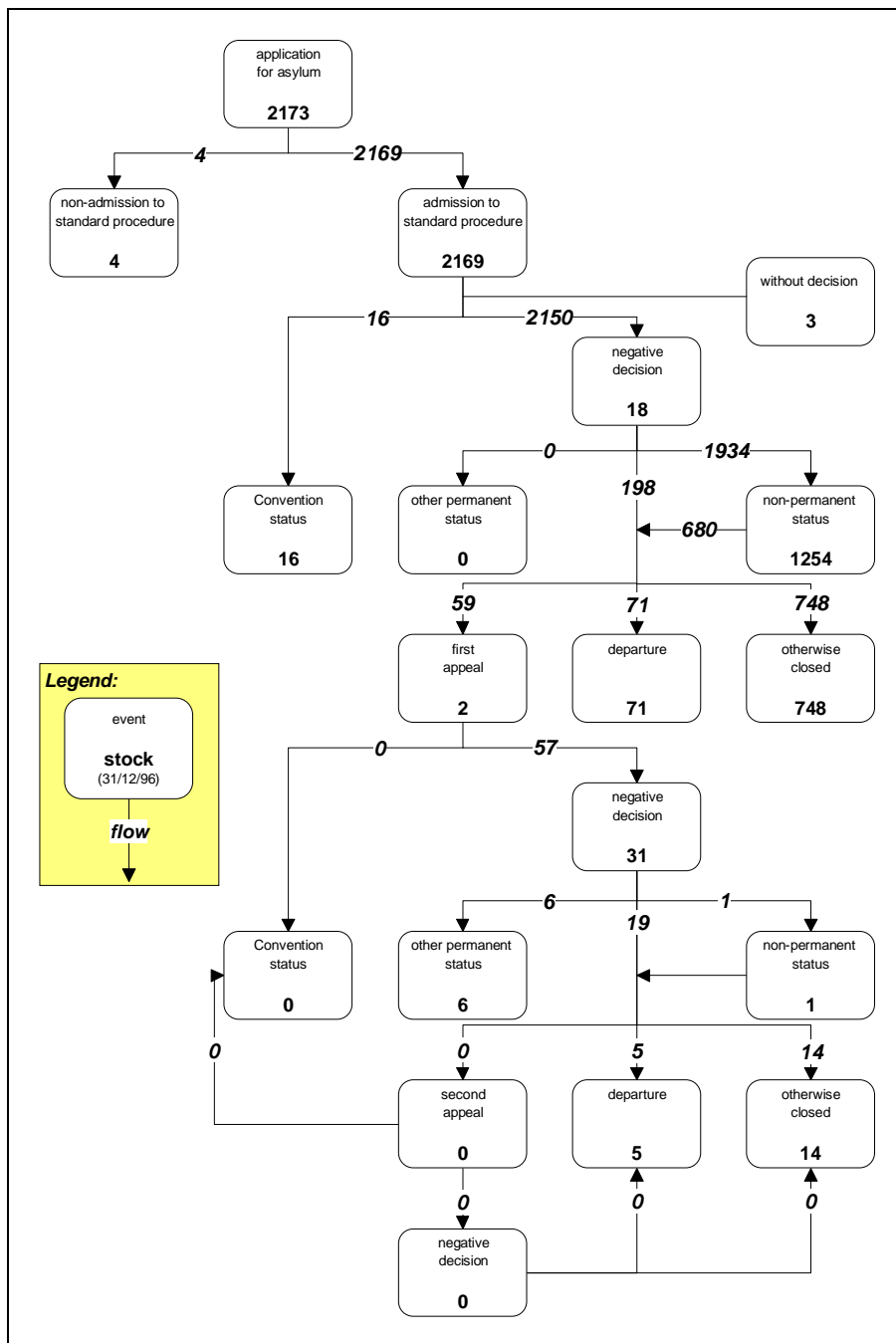


Figure 14 Cohort Somalia 1993 (Switzerland): Principal Stock and Flow Chart



Sweden: Only a handful of Somalis (fewer than 2 percent in each cohort) received a negative decision in first instance. About 14 percent of all cases in either cohort were closed before a first decision could be reached or, more precisely, the first decision was a write-off because the person disappeared or withdrew his/her application. There were hardly any procedures in second instance, even though most of the initially rejected claimants appealed. Their actions were largely unsuccessful, however, as only 3 appellants received a positive decision.

Figure 15 Cohort Somalia 1992 (Sweden): Principal Stock and Flow Chart

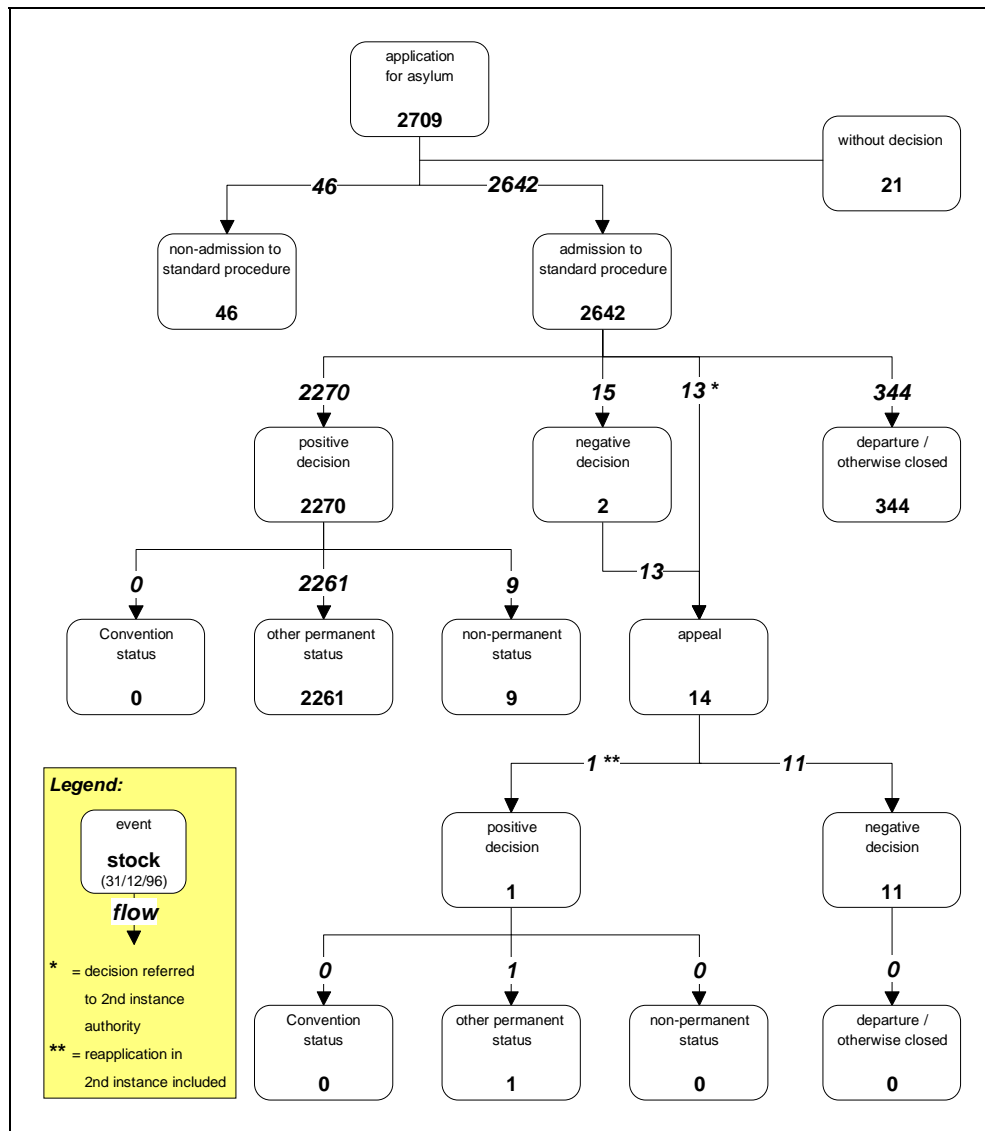
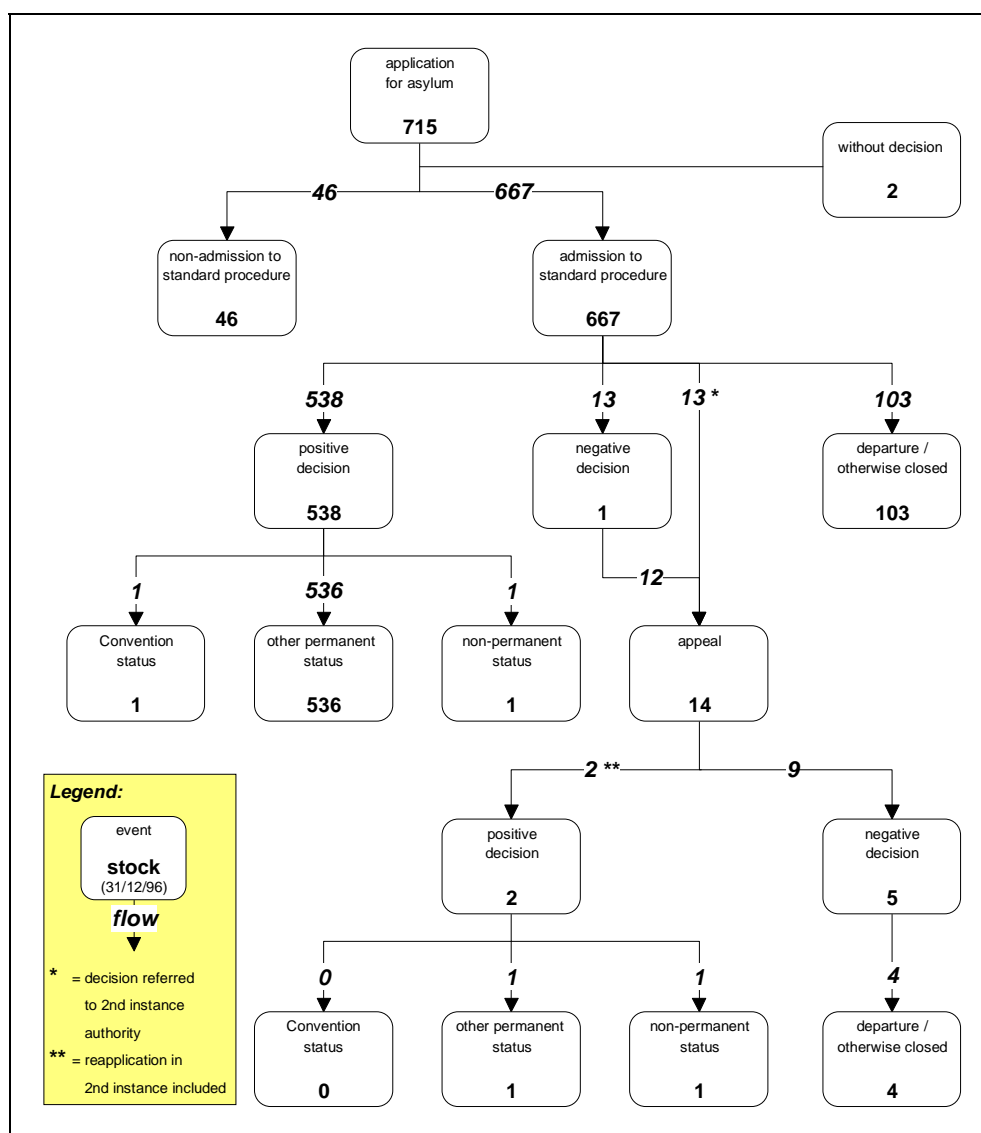


Figure 16 Cohort Somalia 1993 (Sweden): Principal Stock and Flow Chart



6.4.3 Recognition Rates

The cohort data base established for this study leads to the following gross recognition rates:

Table 24 Gross Recognition Rates of Somali Asylum Seekers

Cohort	Gross Convention Recognition Rate		Gross General Recognition Rate	
	Switzerland	Sweden	Switzerland	Sweden
1992	1.0%	0%	52.3%	85.0%
1993	0.8%	0.1%	60.3%	77.3%

In both countries, asylum seekers from Somalia did not fulfil the refugee status requirements. A negligible number of 27 individuals were recognised as refugees.

If other statuses resulting in stay permits are included (other permanent and non-permanent status), the gross general recognition rates of the selected cohorts are as follows: About one out of two Somali asylum applicants in the 1992 cohort, and three out of five applicants in the 1993 cohort obtained some kind of legal residence permit in Switzerland. In Sweden, the corresponding percentages are significantly higher (33 and 17 percentage points for the 1992 and 1993 cohorts, respectively), resulting in four-fifths of all Somalis being able to stay legally in Sweden. Furthermore, the Swiss recognition rate cannot be considered final yet, as many Somalis will be obliged to leave the country after the expiry of their limited permits. Thus the recognition rate is expected to decrease in time.

6.4.4 Comparison of Cohorts in Switzerland and Sweden

The asylum processes of Somalis in Switzerland and Sweden show impressive similarities. In both countries the large majority of them did not fulfil the refugee requirements. Due to the political situation in Somalia at that time, most Somalis were not rejected outright, however, and given stay permits based on non-asylum grounds. The big difference between the two countries is the validity of those permits: mostly limited for one year and subject to an annual review in Switzerland, almost exclusively unlimited in Sweden. It seems that the Swiss asylum authorities are more reluctant to grant permanent residence and frequently revert to the non-permanent status. Generally, Somali claimants in Sweden could claim a higher recognition rate. Four out of five applicants were in the possession of residence permits at the end of the study's observation period, in comparison with only two-thirds of all applicants in Switzerland.

The asylum process of Somalis is usually less complex than the one of their Turkish counterparts. There are hardly any second instance procedures. The asylum process in Switzerland is characterised by a sizeable number of disappearances or departures after the expiry of the temporary residence permits. More than one-third of temporarily admitted applicants had their permits revoked already. This decline will undoubtedly continue in the future. Conversely, 87 percent of all claimants in Sweden were still present in the country at the end of 1996.

6.4.5 Asylum Biographies

The following paragraphs describe the selected biographical asylum patterns in the chronological order outlined in Chapter 5.3. Only biographies that are important to the cohort under discussion are mentioned.

In Switzerland, Somalis almost exclusively (84 percent) adhere to types 1-CH and 2-CH of the selected asylum biographies. A similar pattern can be observed in Sweden, with claimants from Somalia belonging overwhelmingly (95 percent) to types 1-S and 2-S (see Table 9 as well as Tables 31-43 in the annex).

Types 1-CH (application - non-permanent status in first instance) **and 1-S** (application - stay permit in first instance [Convention, permanent, non-permanent status])

32 percent of all applicants in Switzerland had to wait between 3 to 5 months to receive their non-permanent residence permit; in 19 percent of all cases the decision took more than one year to be announced. The two cohorts did not show significantly different behaviour, even though in the 1993 cohort it took an average of 65 days less to reach that point. The entire asylum process lasted 275 days for the 1992 cohort, 209 days for the 1993 cohort.

In Sweden, more than half of all refugee claimants had to wait slightly more than one year to be granted permanent residence. As in Switzerland, the 1993 cohort reached that point in a shorter time (an average of 81 days less). The entire asylum process lasted 407 days for the 1992 cohort, 326 days for the 1993 cohort. Generally, Somalis in Switzerland obtained their decision roughly one-third faster than their counterparts in Sweden.

Table 25 *Asylum Biographies 1-CH and 1-S: Number of Asylum Seekers by Length of Asylum Process*

Length of Time of Entire Asylum Process	Cohort Somalia			
	Asylum Biography 1-CH		Asylum Biography 1-S	
	1992	1993	1992	1993
<i>Less than 1 month</i>	1	2	138	6
<i>1-2 months</i>	16	109	116	8
<i>2-3 months</i>	44	240	133	13
<i>3-5 months</i>	131	427	204	65
<i>5-8 months</i>	101	143	124	91
<i>8-12 months</i>	111	114	100	117
<i>1-2 years</i>	98	186	1365	230
<i>2 years and more</i>	18	31	89	7
<i>Mean (in days)</i>	275	209	407	326

Type 2-CH (application - non-permanent status in first instance - otherwise closed or departed)

While the individuals of type 1-CH were still in Switzerland at the end of 1996, all the people in this category had disappeared or left the country, despite having initially obtained a temporary residence permit. This can be explained by the fact that those permits were not renewed after a stay of one or more years in Switzerland. It is also possible that some of them left voluntarily. Interestingly, for this group the average length of time between application and first decision was inferior by 43 days to that of people displaying the biographical pattern 1-CH. Again, the 1993 cohort reached that milestone in fewer days than the 1992 cohort. The last event, the departure from Switzerland or the official closing of the case by the authorities, usually occurred 448 days after the initial granting of the residence permit. People in this category remained in Switzerland for an average of 736 days (1992 cohort) and 581 days (1993 cohort).

Table 26 *Asylum Biography 2-CH: Number of Asylum Seekers by Length of Asylum Process*

Length of Time of Entire Asylum Process	Cohort Somalia	
	1992	1993
Less than 1 month	0	0
1-2 months	0	9
2-3 months	6	20
3-5 months	11	59
5-8 months	26	56
8-12 months	29	67
1-2 years	86	207
2 years and more	161	216
Mean (in days)	736	581

Type 3-CH (application - first negative decision - otherwise closed or departed)

Somalis in this category waited an average of 200 days to obtain their first negative decision. Members of the 1993 cohort reached that stage faster (by 71 days). All individuals in this category did not appeal and therefore had to leave Switzerland immediately. This occurred usually in less than 10 days. The average length of stay in Switzerland came to 209 days.

Table 27 *Asylum Biography 3-CH: Number of Asylum Seekers by Length of Asylum Process*

Length of Time of Entire Asylum Process	Cohort Somalia	
	1992	1993
Less than 1 month	13	11
1-2 months	13	25
2-3 months	8	24
3-5 months	29	63
5-8 months	51	29
8-12 months	29	8
1-2 years	13	20
2 years and more	7	4
Mean (in days)	243	178

Type 2-S (application - otherwise closed or departed)

Thirteen percent of all individuals in the Swedish sample withdrew their applications or left the country even before a decision could be reached. While individuals in the 1992 cohort stayed in Sweden for an average of 423 days, those in the 1993 cohort departed after only 277 days.

Table 28 *Asylum Biography 2-S: Number of Asylum Seekers by Length of Asylum Process*

Length of Time of Entire Asylum Process	Cohort Somalia	
	1992	1993
<i>Less than 1 month</i>	2	1
<i>1-2 months</i>	2	0
<i>2-3 months</i>	5	0
<i>3-5 months</i>	41	25
<i>5-8 months</i>	44	28
<i>8-12 months</i>	55	24
<i>1-2 years</i>	171	24
<i>2 years and more</i>	23	1
<i>Mean (in days)</i>	423	277

7. Conclusions

The conclusions presented in this chapter do not focus on a comparison between the two countries as far as asylum adjudications go (existing differences were already pointed out in the previous sections). Rather, emphasis will be given to some of the methodological aspects of the study, and a critical review of the longitudinal description of the asylum process.

The time needed to establish a cohort data base should not be underestimated. Since asylum registers are usually event-oriented, a considerable amount of time has to be spent to transform the 'event-based' administrative data bank into a 'person-based' statistical data base.

Working with register data usually involves a myriad of quality problems, which are aggravated when carrying out a longitudinal study. Key to any meaningful analysis are the dates of individual events in the asylum process. If chronologically arranged events are in no logical order, or if the dates of logically arranged events (e.g. a first appeal will always follow a first negative decision) are not in chronological order, multiple problems arise. In period statistics, on the other hand, dates are less obviously problematic as inconsistencies might not even be detected.

The creation of the Swiss cohort data file showed that there are limitations to correct flawed records in an automated and standardised way (by means of computer programs); each record has to be judged individually. Even though it might be possible to correct the logical order of events within a given record, establishing 'correct' event dates (i.e. correcting wrongly recorded information or estimating missing values) is an almost futile exercise, especially if the length of time between successive events is the focus of the analysis.

The establishment of a common framework of concepts, definitions and data flows is of utmost importance when comparing asylum statistics of different countries. Even though fifteen asylum events that are common to Switzerland and Sweden were identified for this study, it was not always possible to fully harmonise national practices and reduce the complexity of the asylum process into events that are perfectly comparable with each other. Existing divergences have to be kept in mind when interpreting the data. It is also important to transcend the nationally established terminology occasionally and to look at the asylum process in statistical terms - as opposed to an asylum policy point of view.

The present study showed that, despite the complexity of the asylum process, most individuals' asylum histories can be reduced to a manageable number of crucial events. In the Swiss data file, for instance, 62.8 percent of all records consist of 3 events, 19.8 percent of 4 events and 13.7 percent of 5 events. Only about 4 percent of all applicants show asylum histories that are more complex.

As a key measure in asylum statistics, the recognition rate should be given special attention. This indicator demonstrates clearly the advantages of the longitudinal approach.

In calendar-year based statistics the recognition rate can be misleading since requests that were lodged in different years are compared with each other. A calendar year-based recognition rate depends heavily on the number of cases that have not yet been completed and, therefore, the administrative process or the work efficiency of the asylum authorities. Moreover, a detailed comparison of period recognition rates of various countries is limited in its usefulness as the way in which these statistics are being compiled vary greatly between countries.

Calendar-year based recognition rates in official Swiss asylum statistics relate the number of positive, i.e. Convention status, decisions to the number of all asylum decisions *in first instance* (positive, negative, non-consideration) of a given year. Withdrawals and administrative write-offs during the asylum process are not taken into account. In Sweden there are no officially published recognition rates. The Swedish Immigration Board, however, produces calendar-year based statistics on positive and negative decisions *in first instance*, which allow the calculation of period recognition rates. It should be noted, that there are no separate statistics on Convention refugees; positive decisions always comprise Geneva Convention, permanent and non-permanent residence statuses. Because of the diverging ways period recognition rates are calculated, the nationally defined figures cannot be compared with each other.

The following tables present, for each country, period and longitudinal recognition rates. The respective national definitions for the period rates have been applied to the cohort rates as well. To make the numbers more comparable, only *first instance* gross recognition rates for cohorts were calculated (in contrast to Chapter 6).

Table 29 *Period Versus Cohort Recognition Rates in Switzerland*

Decisions of Calendar Year	Turkey	Somalia
1992	12.1%	0%
1993	26.1%	0.6%
1994	47.1%	2.0%
1995	49.4%	5.0%
1996	43.8%	3.6%
Cohort		
1992	15.5%	1.0%
1993	29.3%	0.8%

positive decision = Convention status

Table 30 *Period Versus Cohort Recognition Rates in Sweden*

Decisions of Calendar Year	Turkey	Somalia
1992	28.2%	84.1%
1993	13.8%	67.2%
1994	24.8%	87.3%
1995	5.4%	44.9%
1996	9.9%	53.8%
Cohort		
1992	15.3%	84.8%
1993	19.3%	76.9%

positive decision = Convention + permanent + non-permanent status

Comparing period and cohort recognition rates is a difficult endeavour since they measure different phenomena. The sharp increase of the calendar-year based recognition rates for Turkish asylum seekers in Switzerland after 1993 to a one year high of almost 50 percent, for

instance, can be attributed to the fact that complex and well founded cases were initially delayed by the asylum authorities. Positive decisions in those years included many applications that were lodged several years before, and comprised individuals who were stuck in the standard procedure for a considerable period of time. On the other hand, the relatively speedy processing of easier, less well founded cases lead to a period recognition rate of only 12 percent in 1992. The 1992 and 1993 cohort rates lie between those two extremes. Generally, it can be said that cohort rates show less pronounced fluctuations than period rates. Unfortunately, this cannot be sufficiently illustrated by the present study, as only two cohorts per nationality were analysed.

Another drawback to most official period-based asylum statistics is their restriction to first instance decisions only. An integral part of the asylum process, the appeal procedure, is therefore statistically not represented. For the four chosen cohorts, the inclusion of second instance decisions would have hardly an effect on Swiss figures. However, Swedish figures demonstrate this shortcoming dramatically: the recognition rates of Turkish asylum seekers double or increase threefold (see Table 8).

It is proposed that in addition to the Convention recognition rate, the (gross or net) general recognition rate should always be calculated as well. For population statistics and from an asylum or immigration policy point of view, it is more relevant to know the total number of people who are given the legal right to remain in the country - regardless of the specific type of permit they received. The general recognition rate, therefore, might be a more meaningful contributory indicator of the evolution of the immigrant or foreign stock of a country.

Finally, the results of this study support the initial statement that the approach to achieve an accurate statistical description of the entire asylum process should be longitudinal. The international comparability of asylum statistics cannot be achieved by contrasting statistical information that was primarily produced for national purposes only, and which is strongly influenced by the asylum policies of the respective countries. Although many differences exist between countries, more conclusions about those differences, as well as similarities, in handling asylum cases can be drawn from a longitudinal study like this than from the conventional national statistics.

Appendix

Table 31 *Asylum Biography 1-CH: Length of Time Between Events*

Length of Time Between Events	Cohort Somalia			
	1992		1993	
	1st to 2nd event	2nd to 3rd event	1st to 2nd event	2nd to 3rd event
Less than 1 month	1	517	2	1250
1-2 months	21	3	109	0
2-3 months	42	0	240	0
3-5 months	135	0	428	1
5-8 months	94	0	142	0
8-12 months	111	0	114	0
1-2 years	98	0	187	1
2 years and more	18	0	30	0
Mean (in days)	274	1	209	1

Table 32 *Asylum Biography 2-CH: Length of Time Between Events*

Length of Time Between Events	Cohort Somalia					
	1992			1993		
	1st to 2nd event	2nd to 3rd event	3rd to 4th event	1st to 2nd event	2nd to 3rd event	3rd to 4th event
Less than 1 month	1	319	22	4	634	36
1-2 months	12	0	14	104	0	49
2-3 months	46	0	11	134	0	51
3-5 months	99	0	21	203	0	72
5-8 months	76	0	39	66	0	56
8-12 months	53	0	28	71	0	57
1-2 years	19	0	95	52	0	186
2 years and more	13	0	89	0	0	127
Mean (in days)	228	0	508	163	0	419

Table 33 *Asylum Biography 3-CH (Turkey): Length of Time Between Events*

Length of Time Between Events	Cohort Turkey			
	1992		1993	
	1st to 2nd event	2nd to 3rd event	1st to 2nd event	2nd to 3rd event
Less than 1 month	103	168	24	57
1-2 months	79	79	40	52
2-3 months	58	75	32	22
3-5 months	66	23	25	9
5-8 months	31	6	17	2
8-12 months	10	5	5	6
1-2 years	14	4	0	2
2 years and more	4	5	30	0
Mean (in days)	106	68	111	59

Table 34 *Asylum Biography 3-CH (Somalia): Length of Time Between Events*

Length of Time Between Events	Cohort Somalia			
	1992		1993	
	1st to 2nd event	2nd to 3rd event	1st to 2nd event	2nd to 3rd event
Less than 1 month	14	155	12	173
1-2 months	13	6	26	6
2-3 months	7	0	26	3
3-5 months	31	1	65	0
5-8 months	52	0	25	1
8-12 months	30	1	7	0
1-2 years	9	0	21	0
2 years and more	7	0	2	1
Mean (in days)	238	6	167	11

Table 35 *Asylum Biography 4-CH (Turkey 1992): Length of Time Between Events*

Length of Time Between Events	Cohort Turkey 1992			
	1st to 2nd event	2nd to 3rd event	3rd to 4th event	4th to 5th event
Less than 1 month	29	83	72	113
1-2 months	60	280	71	123
2-3 months	64	7	57	48
3-5 months	110	1	66	61
5-8 months	43	0	25	8
8-12 months	24	0	21	4
1-2 years	37	1	38	5
2 years and more	5	0	22	10
Mean (in days)	167	38	193	89

Table 36 *Asylum Biography 4-CH (Turkey 1993): Length of Time Between Events*

Length of Time Between Events	Cohort Turkey 1993			
	1st to 2nd event	2nd to 3rd event	3rd to 4th event	4th to 5th event
Less than 1 month	2	21	45	59
1-2 months	26	115	24	49
2-3 months	21	10	7	9
3-5 months	56	1	37	19
5-8 months	18	0	10	9
8-12 months	6	0	6	0
1-2 years	16	0	16	1
2 years and more	2	0	2	1
Mean (in days)	184	38	146	64

Table 37 *Asylum Biography 6-CH: Length of Time Between Events*

Length of Time Between Events	Cohort Turkey			
	1992		1993	
	1st to 2nd event	2nd to 3rd event	1st to 2nd event	2nd to 3rd event
Less than 1 month	1	10	0	1
1-2 months	1	43	1	42
2-3 months	8	1	3	4
3-5 months	5	0	5	0
5-8 months	5	0	5	0
8-12 months	11	0	12	0
1-2 years	15	0	18	0
2 years and more	8	0	3	0
Mean (in days)	398	35	376	38

Table 38 *Asylum Biography 3-S: Length of Time Between Events*

Length of Time Between Events	Cohort Turkey					
	1992			1993		
	1st to 2nd event	2nd to 3rd event	3rd to 4th event	1st to 2nd event	2nd to 3rd event	3rd to 4th event
Less than 1 month	2	69	3	2	30	4
1-2 months	0	9	1	1	6	0
2-3 months	3	0	1	0	0	0
3-5 months	18	1	18	10	0	1
5-8 months	14	0	36	9	0	11
8-12 months	21	0	16	6	0	13
1-2 years	21	0	4	7	0	6
2 years and more	0	0	0	1	0	1
Mean (in days)	276	23	226	269	22	291

Table 39 *Asylum Biography 4-S: Length of Time Between Events*

Length of Time Between Events	Cohort Turkey					
	1992			1993		
	1st to 2nd event	2nd to 3rd event	3rd to 4th event	1st to 2nd event	2nd to 3rd event	3rd to 4th event
Less than 1 month	0	52	0	0	8	0
1-2 months	0	10	0	0	0	0
2-3 months	0	0	0	3	2	0
3-5 months	3	0	9	0	0	1
5-8 months	4	0	23	5	0	6
8-12 months	28	0	17	1	0	1
1-2 years	27	0	13	1	0	1
2 years and more	0	0	0	0	0	1
Mean (in days)	351	21	288	215	27	309

Table 40 *Asylum Biography 5-S (Turkey 1992): Length of Time Between Events*

Length of Time Between Events	Cohort Turkey 1992			
	1st to 2nd event	2nd to 3rd event	3rd to 4th event	4th to 5th event
Less than 1 month	0	48	0	0
1-2 months	1	2	1	0
2-3 months	4	0	1	0
3-5 months	12	0	14	10
5-8 months	15	0	28	12
8-12 months	9	0	6	7
1-2 years	9	0	0	16
2 years and more	0	0	0	5
Mean (in days)	248	22	214	383

Table 41 *Asylum Biography 5-S (Turkey 1993): Length of Time Between Events*

Length of Time Between Events	Cohort Turkey 1993			
	1st to 2nd event	2nd to 3rd event	3rd to 4th event	4th to 5th event
Less than 1 month	2	28	0	0
1-2 months	0	4	3	0
2-3 months	8	0	0	1
3-5 months	9	0	6	8
5-8 months	10	0	17	7
8-12 months	1	0	6	1
1-2 years	1	0	0	4
2 years and more	1	0	0	11
Mean (in days)	180	24	207	474

Table 42 *Asylum Biography 6-S (Turkey 1992): Length of Time Between Events*

Length of Time Between Events	Cohort Turkey 1992			
	1st to 2nd event	2nd to 3rd event	3rd to 4th event	4th to 5th event
Less than 1 month	2	56	1	35
1-2 months	3	15	1	5
2-3 months	4	0	3	4
3-5 months	17	2	11	2
5-8 months	11	0	33	7
8-12 months	14	0	18	4
1-2 years	22	0	6	11
2 years and more	0	0	0	5
Mean (in days)	278	25	242	210

Table 43 *Asylum Biography 6-S (Turkey 1993): Length of Time Between Events*

Length of Time Between Events	Cohort Turkey 1993			
	1st to 2nd event	2nd to 3rd event	3rd to 4th event	4th to 5th event
<i>Less than 1 month</i>	3	34	2	19
<i>1-2 months</i>	1	6	1	2
<i>2-3 months</i>	1	0	1	2
<i>3-5 months</i>	7	0	5	5
<i>5-8 months</i>	14	0	16	2
<i>8-12 months</i>	7	0	13	5
<i>1-2 years</i>	7	0	2	3
<i>2 years and more</i>	0	0	0	2
<i>Mean (in days)</i>	245	22	241	165