

DEVELOPMENT BARRIERS FOR STATELESS REFUGEES IN SWEDEN

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Abstract

This study discusses the barriers of stateless refugees in Sweden to provide their material living conditions as a part of their well-being. This qualitative research considers the agency of the studied people by identifying the limitations to their development. Combining discourse analysis with semi-structured interviews and using narrative analysis to give them more voice serve this purpose. The focus is on the idea of institutional freedoms dragged from the theoretical framework, the Capability Approach, and represent the capabilities provided by the Swedish government. After examining international, national documents and policies to check the rights available for the studied category of refugees, findings demonstrated the complications in their situation due to the gaps in the status determination procedures, the shift in the Swedish welcoming policies resulting in the hardship of acceptance to citizenship. The way stateless refugees experiencing the opportunities created by the introductory programmes follows the main findings, and is concluded with emphasized language barriers, difficulties in employment, and getting housing.

Key words: stateless, freedoms, barriers, development, capabilities approach

Words: 19.277

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1. Introduction

1.1 The research problem

In this thesis, I examine the experiences of stateless refugees residing in Sweden, including both the ones seeking asylum and those who applied for citizenship, in terms of the inconvenience they face in their daily lives. ‘The human right not to be stateless, or the right to a nationality, is important because many states only allow their nationals to exercise full civil, political, economic and social rights within their territories’ (Weissbrodt and Collins, 2006, p.248). Certainly, their access to fundamental human rights guaranteed by international law and agreements include the most important two: the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. However, due to the structural and institutional barriers, stateless refugees may face prevention from accessing their such rights as voting, traveling, owning property or access to proper health care and education, working in the formal economy, etc. (Blitz, 2009). Providing material living by employment can be hectic for many stateless refugees because employers often require ID or certain documents that prove the residency (Tucker, 2013). It could create unprotected situations for them. ‘Migrants that are particularly vulnerable to statelessness are irregular migrants, victims of trafficking, refugees and displaced persons’ (Binachini, 2018, p.53). They are often in the gaps of migration laws and, as a result, unwanted, so that their existence raises questions for policies on migration control and citizenship management (ibid).

According to ISI (2014), statelessness is a fundamental cause of forced displacement. Moreover, throughout history, stateless people have been persecuted in their birth country and seek refugee status in another. In Sweden, according to the report: “Mapping statelessness in Sweden” by UNHCR (2016), asylum-seeking is considered the main channel of stateless refugees to enter the country. The same report also reveals the hardship of collecting qualitative data

about the mentioned group by emphasizing how difficult it is to identify and reach out to the named category of refugees. According to the UNHCR report (2016), another problem arises from the lack of awareness of the authorities and the public about statelessness being a human rights and policy-relevant issue.

1.1.1 The research questions and aim of the study

Despite the difficulties described above, this thesis aims to look into the problematic sides of such living conditions of stateless refugees in Sweden as their housing, employment, education, etc., to explore their deprivations that limit their capabilities to provide their living. Furthermore, I aim to investigate the freedoms and opportunities that have been provided for the mentioned category of the refugees, and include the point of view of stateless refugees to all that specified. Choosing Sweden as an example to investigate the well-being of refugees regarding the country's level of development and welcoming policies also serves the aim of showing an extreme case to generate an estimated image of the situation. The choice of Sweden is because of the country's welcoming policies towards refugees to the extent that it has been called "migration backdoors" by its Nordic neighbors. Given the stated goals of this work, I aim to reach these goals by asking the following research question and supplementary questions to that:

How do stateless refugees in Sweden navigate their migratory processes in relation to their economic (labor) well-being?

Supplementary questions are:

1. What are freedoms (opportunities) provided for the stateless refugees in Sweden by the national and international law documents?

2. How these freedoms are experienced by the named category of refugees?

3. What are the perceptions of stateless refugees about realization of their capabilities as well as the barriers to their development?

1.1.2 Relevance of the study

The issue of statelessness plays a crucial role in the complex and broad migrations process, consequently, in political science and development. Several studies have been carried out to investigate the statelessness problem from the lenses of legal issues around the asylum and citizenship procedures. Given themes have been essential points in various researches that give a space for the analysis of the national level frameworks to draw out the impacts regarding the barriers stateless refugees face in acquiring citizenship (Bernitz, 2013; Bianchini, 2018; Joormann, 2020; Tucker, 2017, 2018a; Stokes-Dupass, 2017). Other related works have tried to look at the refugee programmes accepted by the Swedish government to enable integration of the whole category of refugees, including stateless (DeBono, Ronnqvist, and Magnusson, 2015; Gren, 2020; Lundberg and Strange, 2017). Moreover, the relevance of this work lies in the applied theoretical framework that allows the researcher to operationalize the qualitative study considering the agency of participant stateless refugees when it comes to defining their capabilities and institutional freedoms provided by the Swedish government. To the best of my knowledge, this is the first time that a study analyzes and discusses the issues relevant to the investigated group under the direction of one of the beneficial theoretical approaches to human development – The Capability Approach. Additionally, this significance demonstrated by combining such data collection methods as semi-structured interviews and discourse analysis that allow the researcher to utilize narrative analysis to enable the voice of the investigated people to get heard.

1.2 Structure

In this work, the first chapter provides the introduction to the problem that is subject to analysis, brings up the main research question and supplementary questions together with the aim of the study, states the significance of this study, and introduces other parts of the thesis.

The second chapter looks at the background of the issue diving into the means and ends of statelessness by explaining the causes and consequences, maps the case of Sweden in terms of the situation around the statelessness in the country. The statelessness situation in Sweden is investigated thoroughly in the third chapter by bringing up the comparative studies about the situation around the migratory processes in European countries. Moreover, this chapter provides overview of other studies that have also examined experiences of stateless refugees in Sweden.

While the fourth chapter illuminates the Capability Approach as the theoretical framework of this study and explains the related concepts, the fifth chapter talks about the methodology used for data collection, data analysis, and overall research design and sampling strategy. It also discusses ethical considerations and limitations of the study. The sixth chapter covers the analysis of the empirical materials by looking through identification problems in asylum procedures, the profile of stateless refugees in Sweden, freedoms related to their well-being that the government enables, moreover, how those freedoms are accepted by stateless refugees. After presenting the empirical materials, the chapter contains a discussion on the barriers of stateless refugees and includes concluding remarks where a new migration bill is examined.

The seventh chapter covers the conclusion and main findings of the study. The utilized literature list and an Appendix for the overview of one of the interviews are included in the structure of this thesis.

2. Background

2.1 The means and ends of statelessness

In this thesis, the term “stateless” is used according to the definition of the 1954 United Nations Convention. In General Provisions, Article 1 (1) of the Convention, it is mentioned that ‘stateless person means a person who is not considered as a national by any State under the operation of its law’ (UNHCR, 1954, p.6). According to the Handbook on Protection of Stateless Persons by UNHCR (2014b), assessing a person’s nationality neither relies on historic nor predictive exercise. Thus, ongoing naturalization processes or uncompleted procedures should not affect the status of statelessness. The assessment should be at the present moment whether the person acquires nationality of a definite country (ibid).

The context of considering an individual as a national by any state brings up a defined legal tie between the individual and that state that results in both sides having rights and duties (ISI, 2014). However, if a person lacks being a national, obtaining rights also obligations would be impossible; moreover, this would mean that the person lacks the right to protection by a state, or right to vote, etc. It could also cause a stateless person to develop some issues with the value of belonging, in case they are treated as foreigners everywhere, as national nowhere (ibid). According to the “Special Report: Ending Statelessness Within 10 Years” by UNHCR (2014a), which published under the UNHCR campaign “I Belong” aiming to end the problem of statelessness by the end of 2024, additionally to the missing legal bond to any state, often stateless people are excluded during their lifetime by not obtaining a legal identity when they are born, they lack the access to education, health care, marriage, formal job market, and even they lack a dignity of an official burial or a death certificate. Moreover, the children of stateless people could become stateless. It would be the continuation of the

problem for the next generations, also could put the psychological burden of this knowledge to the stateless persons.

According to the report on Stateless in numbers by ISI (2020), approximately 4.2 million stateless people are reported covering 76 countries; however, this number does not reflect the reality due to the circumstances that not all countries submit the data about stateless people. ‘The true extent of statelessness is estimated to be much higher, as fewer than half of all countries in the world submit any data and some of the most populous countries in the world with large suspected stateless populations do not report on statelessness at all’ (UNHCR, 2020, p.56). Considering approximate high number and situation emergency, UNHCR continuously works towards both solution and prevention of their circumstances (ibid). However, Stokes-Dupass (2017) states that, in contrast to the efforts to end statelessness, this issue is on the rise due to the no clear solution to end it.

2.1.1 The causes of being stateless

According to the Special Report by UNHCR (2014a), statelessness can appear as a result of such various political and legal circumstances as redrawing of the borders, administrative obstacles resulting in ignorance of the stateless by the system, discrimination against a particular part of the population according to their ethnicity, religious beliefs, gender, etc., the gaps in or the conflict between the nationality laws and so on. All of these have the potential to make any person stateless overnight.

If we look at the controversy between national laws of different countries resulting in statelessness, it may occur in the case of one country applying the citizenship rule by descent and the other by place of birth, and when one’s birthplace and parentage do not allow to have any, and safeguards to prevent the rise of statelessness are not considered in the laws of both countries (ISI, 2014). ‘While this may seem like an unlikely and marginal occurrence, the scale of international migration today is such that conflicts of nationality laws are

becoming more commonplace, increasing the need for safeguards to ensure the avoidance of statelessness' (ibid, 23). One of the most frequent and critical, and not correctly addressed, causes of statelessness is state succession. It may require redrawing the state borders or transfer of the sovereignty and may result in a large number of persons get affected by it (Bianchini, 2018). As a result of state succession, it is very likely for vulnerable minorities to be excluded and discriminated against for the re-definition of nationality (ISI, 2014). Many of these situations are also related to the colonial past of some countries. The experiences of colonization, decolonization, and nation-building, as a result of those processes, gave space for disputes among different ethnic and religious groups, moreover, marginalization and discrimination of minorities, non-privileged groups (Bianchini, 2018). Certainly, colonial past cannot justify discrimination, but when it comes to describing sources and reduction of statelessness, understanding the historical context matters (ibid).

All kinds of discrimination on the grounds of gender, religion, ethnicity, and others could be the sources of statelessness by themselves. According to the report called *I am here, I belong: The urgent need to end childhood statelessness* by UNHCR (2015), discrimination against minorities is the crucial reason for statelessness, and the national laws in at least 20 countries deny nationality based on ethnicity, race or religion. Discrimination on the ground of gender could cause the prolongation of the problems of statelessness. When citizenship laws do not allow the child to carry their mother's nationality, and their father is not married to their mother legally, or the father is non-national, or stateless, because of any reason cannot transmit their nationality of the child, this may result in being stateless for that child (Bianchini, 2018). According to the Special Report (UNHCR, 2014a), more than 27 countries contain this element of gender discrimination in their laws for the transmission of nationality.

Another common reason to be stateless would be due to the administrative barriers which cause lack of documentation or not being registered efficiently in the civil registration system. Even it would be possible in the poor governance practices that the child could be born with the right to that country's nationality,

due to the lack of proper registration system and issued birth certificate they couldn't be able to prove the nationality (Bianchini, 2018). That could also contain the discriminative element in it because, according to ISI (2014), the people, who are most likely to suffer from this kind of system deficiency, are ethnic and religious minorities, nomadic communities, and the rural poor, rather than those who constitute the religious and ethnic majority and urban population in a country.

2.1.2 The consequences of being stateless

When it comes to elaborate the consequences of statelessness with general terms, it affects millions of lives in the world without depending on the cause of the issue. Most stateless persons face many difficulties in various aspects of their everyday lives, due to the lack of fundamental human rights (UNHCR, 2016). One of these areas that would be hard to get in for a stateless person is education. According to the Special Report (UNHCR, 2014a), not only it is very likely for stateless children to get decline to enter public schools, or refused to get higher education, but also in the case that all these could be provided, there is also a chance of discrimination and stigmatization by the teachers or other students towards the stateless child. Such ways of treating someone as an outsider may make the stateless persons target for victimization. Values as compassion, protection, or support may seem not to be deserved by stateless persons. It can lead them to have serious social problems, question their self-worth that could make a stateless person target for exploitative practices (UNHCR, 2015). 'A diminished sense of self-worth and in some instances a confused sense of identity and belonging can prompt sentiments of hopelessness, anxiety, and depression' (ISI, 2014, p.31).

Lacking efficient health care, not being able to find a formal job, or even entering the labor market, in general, could be considered as other challenges for stateless people all over the world. The most significant barriers for the stateless people in health care systems are illustrated in the form of not having any access

to the health care system due to the lack of national identity document, and the high costs of medical treatments (UNHCR, 2015). Not being able to pay the costs of health care is interconnected with the economic situation of stateless persons. According to the Special Report by UNHCR (2014a), many countries obtain different extents of restrictive rules about the entrance to their labor markets. In some of these cases, such action could have a blockage nature for stateless people. ‘Developing countries may limit the enjoyment of economic rights by non-nationals in certain circumstances, which may be used to justify the economic disempowerment of stateless persons’ (ISI, 2014, p.29).

Moreover, as a result of the lacking identity documents, migrated stateless people suffer from prolonged and repeated processes, in addition, to be considered irregular in the country. Nevertheless, their situation constitutes a hard case to handle because if they get rejection to have the nationality identification, there is no country for them to return. All of these mentioned can only demonstrate a small part of the significance of what statelessness may cause. The importance of the consequences of being stateless also relies on that circumstance that the lack of nationality does not affect only individuals, but also it has a direct impact on their family members, wider society, and the international community of states (ISI, 2014).

2.2 The case of statelessness in Sweden

Sweden is not only the party to the main conventions on statelessness, that are the 1954 Convention on the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, and the European Convention on Nationality, but also ending statelessness in a worldwide level has been made a political commitment in Swedish foreign policy initiatives since the Ministerial intergovernmental Event on Refugees and Stateless Persons hold by UNHCR in December 2011 (UNHCR, 2016).

According to Stokes-Dupass (2017), Sweden, compared to the other Scandinavian countries, has always welcomed the arrival of refugees to the most extent. It has been called “immigration backdoor” due to the easiness of getting citizenship or permanent residence permit in contrast to the other Nordic nation-states, consequently, after the most recent mass migration of Syrian refugees into Europe, Sweden has faced pressures from both inside and outside forces (ibid). This study takes the Swedish case under its lenses due to the vital shift in its policy towards the refugees and its possible effect on indefinite statelessness.

To reach the governmental information about the statistics of the stateless people in Sweden is possible through two public registers: Swedish Population Register and the Register of the Swedish Migration Agency, and in both of them, persons can register under the categories of “stateless”, “unknown nationality”, and as their nationality is “under investigation” (UNHCR, 2016). If we look at the number of stateless people among the refugees coming to Sweden in recent years, we would see that at the end of 2015, the total number of persons registered in Sweden as the stateless person was 29,351 (UNHCR, 2016), while according to the statistical Fact Sheets provided by UNHCR (2019), this number has reached to 31,819 by the end of 2018. ‘The number of applications for Swedish citizenship has been increasing over recent years’ (EMN, 2020, p.43). The most recent Sweden Fact Sheet by UNHCR (February, 2021) indicates that the number of stateless people in Sweden is 30,305, and among them, 22,000 stateless persons have been granted Swedish citizenship by 2020. Meanwhile, according to the Overview Fact Sheets in Northern Europe (UNHCR, 2019), the number of stateless people constituted 8,236 in Denmark, 2,759 in Finland, and 2,809 in Norway, by the end of 2018. Registration in Population Register is significant because after correctly registering themselves, people can exercise their rights; only after then you can be entitled to social benefits and allowance (STA, 2007).

3. Literature Review

Various authors have touched upon the general situation of statelessness, and different aspects of the lives of stateless refugees worldwide, particularly in Sweden, in different scales of works. It has become a crucial issue to research after 2015 due to the large wave of refugees coming to Sweden. Some of the works in the field have looked at the given topic not only from Sweden's perspective but also in terms of Nordic and European approaches to the refugees, asylum seekers, and the place of the stateless among all. The others have studied refugees and their acceptance, the legal situations around them, and the migratory procedures without focusing directly on the stateless category. In this section, I find it relevant to introduce the researches that do not directly interrogate migratory processes of stateless refugees, instead, I give a general overview of the studies related to refugees in Sweden according to the relevant headings. It is because stateless refugees are also refugees; they have to deal with their migratory processes as other refugees but with additional features that could put them in a more vulnerable position.

3.1 Studies on migratory processes around refugees, including stateless refugees, in Sweden in comparison to other Nordic and European countries

Given the significance of the legislative procedures and policies related to the migratory processes of the refugees, and stateless refugees, in particular, many researchers have investigated national frameworks, asylum systems, implementation of the agreements, and applied policies, etc. The book by K. Bianchini (2018) named "The implementation of the Convention relating to the status of stateless persons: procedures and practice in selected EU States" is one

of the comprehensive studies about the application of the 1954 Convention in states level comparing 10 European countries, including Sweden, Germany, France, Italy, Spain, Greece, the Netherlands, the UK, Czech Republic, and Hungary. The author reflects the differences comparing some of the issues related with the implementation of the mentioned Convention, including: ‘determination of statelessness on first-instance proceeding, from basic aspects of structure and access to the assessment of statelessness, right of appeal against rejected applications, a status granted and grant of a basic set of rights upon the grant of protection, including the right to travel documents and access to naturalization’ (ibid, p.4). According to Bianchini (2018), Sweden, Germany, Greece, and the Czech Republic are especially not well-investigated countries considering their different approaches to implementing the Convention. Moreover, Sweden together with Greece has a low level of general awareness or knowledge of statelessness and contains the absence of even elemental data. Among the investigated ten states Sweden, Germany, and Poland are considered the host countries with the highest number of stateless people. In the book, Sweden is in the third category of the states having ‘no specific provisions to determine statelessness and not recognizing stateless status as a specific protection ground’ (ibid, p.121). The author claims that it may cause the problems of ‘poor assessment of the evidence in support of applications and the failure to sufficiently acknowledge vulnerabilities’ (ibid, p.186).

Another comparative analysis of Swedish, German, and Danish asylum systems has been reflected in Joormann (2020) by discussing the similarities and differences in asylum procedures, including their appeal instances, of the named countries and the implication of laws concerning the grants of refugee status. Taking the classed aspects of the Swedish, German, and Danish asylum systems into consideration, Joormann (2020) argues that migrant’s access to social, cultural, and especially economic capital characterize the international migratory movements. To conclude, the author indicates the procedural differences; In Germany, the asylum appeals process is taken care of by local administrative courts under the authority of the Federal States, while in Sweden since 2006, there

are distinctive migration courts. In Denmark, this process does not involve any administrative courts, alternatively, the Danish Refugee Appeal Board processes appeals. These differences make significance because ‘it illustrates different institutional settings in which asylum applications must make their case’ (ibid, p.44). Moreover, despite such differences, ‘a class background marked by secured access to economic capital can be a significant advantage for migrants who aim to reside in either Sweden or Germany, or Denmark’ (ibid, p.45).

In the article called “*Mass migration, Tightening Borders, and Emerging Forms of Statelessness in Denmark, Norway, and Sweden*”, Stokes-Dupass (2017) also touches upon the legislative actions and social policies created by the mentioned states as a response to the 2015 refugee crisis, and how it aided the securitization of the borders, and consequently, the rise of statelessness among already vulnerable populations. According to Stokes-Dupass (2017), these named generous welfare states hold the reputation for progressive social policies. However, at the same time, they have started to get a reputation for inhospitable destinations for refugees. In the comparative analysis, the author illustrates that Sweden constituted an exception to the inhospitality policy and carried the role of “immigration backdoors” according to its Nordic neighbors. Nevertheless, as a result of external and internal pressures, it switched its policies towards more restrictive and “secure” border measures (ibid). Using the securitization theory Stokes-Dupass (2017) argues that the shift in Swedish approach towards migrant integration to the assimilative direction started with the far-right parties empowerment, and this situation has been enabled by ‘portraying non-European migrants as a political threat and an economic burden’ (ibid, p.57). This vital shift in Swedish policy ended up with the acceptance of the Temporary Asylum Law. One of the researchers that have conducted detailed studies about statelessness in Nordic countries, and investigated the Temporary Asylum Law is J. Tucker, a postdoctoral researcher at Malmö University. In the article (2017) about “*The indefinite statelessness of refugees in Denmark and Sweden*”, the author carries out a comparative case study about the impact of the Temporary Asylum Laws in both countries through the lance of the relationship between statelessness and

being a refugee. Tucker (2017) draws attention to how the statelessness of refugees receives a minimal level of notice in the researches of the field, even though about one in ten of the refugee population under the UNHCR mandate is stateless persons. According to the data collected from 79 countries around the world in mid-2020 by UNHCR¹, 4.2 million stateless refugees are residing in their territory; however, the real numbers are expected to be significantly higher.

In the mentioned study, the comparative element constitutes the analysis of the rise in indefinite statelessness considering asylum-seeking and citizenship procedures under the liberal Swedish and more restrictive Danish frameworks. As a result of the study, Tucker (2017) points out main challenges and gaps regarding the identification of statelessness in both countries' asylum systems; 'neither Denmark nor Sweden has established a definition of statelessness in their law or policy and their assessment of statelessness cannot be considered formal stateless determination procedures' (ibid, p. 20). According to the author, this could result in incorrect registration of some of the stateless persons. The situation could be finalized as a barrier to secure permanent residence and naturalization as it could create uncertainty about the identity of the asylum-seeker. Moreover, it could lead to the prolongation of the indefinite statelessness in both countries (ibid). According to Tucker (2017), proving their statelessness relies on the applicant in both countries. However, in Sweden, it is made more difficult to do so, 'as in Sweden there are restrictions on the use of documentation from certain countries/authorities who are known to host large stateless population' (ibid, p.21). Palestinians are included in a distinctive category among the mentioned certain countries, thus another comparative research by Tucker (2018b) is dedicated to finding out the factors that influence the decisions of Palestinian refugees to choose their asylum destinations as Sweden or Germany. Given 33 interviews that the author has been conducting, 'there was a high degree of destination specificity towards Sweden for nearly all of the participants' (ibid,

¹ <https://www.unhcr.org/refugee-statistics/>

p.2). According to the author, even though both countries are major destinations for the refugees in Europe, neither Germany nor Sweden has a law or policy implementation to identify the statelessness among refugees comprehensively. However, only the statelessness of Palestinians is recognized by both countries. The results of the study demonstrate the most significant aspect in the choice of the destination country, and it is the desire to resolve the statelessness condition. In the perception of Palestinian stateless people, Sweden is the desired destination because of the comparative easiness in the access to citizenship with other European or Arab states (ibid). Tucker (2018b) adds that economic and educational opportunities play only a minor role in decision-making. While these qualitative studies investigate the migratory processes around the refugees, including their reasons for replacement, their experiences in European countries, particularly in Sweden, are considered the main focus of the upcoming part of this thesis.

3.2 Studies on the experiences of the stateless refugees in Sweden

After immigrating to Sweden, some of the significant aspects in the lives of refugees, in particular stateless refugees that could face difficulties and go through struggles, are illustrated and examined by many researchers. One of those aspects is investigated in the chapter by Gren (2020), in the book named “Refugees and the violence of welfare bureaucracies in Northern Europe” which reflects how young Palestinian refugees in Sweden experience the labor market introductory programme. According to Ennerberg (2017 cited in Gren, 2020), the programme aims to support those accepted for asylum in learning Swedish and joining the job market in Sweden. By conducting qualitative interviews with the mentioned group, Gren (2020) points out that the programme does not reflect their aspirations and does not give people enough possibilities to decide what to do

with their own lives. Furthermore, the author argues that ‘their frustrations can be understood primarily as reactions to a bureaucratization of daily life and the institutional requirements that limit their sense of agency’. Following the bureaucratic barriers, people become hopeless and forced to readjust their ambitions (ibid).

Another aspect of struggle in refugee lives has been elaborated in the article by Lundberg and Strange (2017) named “*Struggles over human rights in local government – the case of access to education for undocumented youth in Malmö, Sweden*” which looks over the Swedish school system for undocumented children and youth. The authors argue for the need to determine the correct interpretation of the idea of human rights, which is formed beyond the international and national level of agreements and is realized in the local context and through local implementation. After conducting interviews in Malmö, Lundberg and Strange (2017) presents the context of the access for undocumented migrants to education in the Swedish city of Malmö as a case for constructing an example of the struggle between human rights and how they are experienced at the local level. Their analysis finds out two ways of determining the right to education, one of the human rights, as “legalistic” and “experiential” (ibid). ‘These discourses reflect a wider cleavage within the human rights field regarding whether rights can be best protected through legal means, or via more active engagement with those most in need of their rights being protected’ (ibid, p.162).

The experiences of a different group of stateless in Sweden have been touched upon in the case of Kurdish diasporas in Sweden and the UK, in the article by Eliassi (2016). After conducting 50 interviews with Kurdish diasporas in mentioned two countries, Eliassi (2016) elaborates how these people experience statelessness in the context of unequal citizenship. In the article, the author argues that the right of nation-states to including and excluding some groups of people from the nationality that is given by the international state system is the creator of statelessness, and the discussion around this situation is about the solution to this problem mostly. ‘While the acquisition of citizenship is important, it also has its limits in understanding everyday life of people who consider themselves stateless

in a world of nation-states' (ibid, 1403). Eliassi (2016) argues that even though Sweden obtain a positive image among the Kurdish population in the country, due to the multiculturalism, given rights and respects, opportunities, and the possibility to organizing themselves as Kurds, it is also hard to accept the country as their homeland. It is because of exclusionary discourses against the Muslim population all over Europe, including Sweden. Moreover, the author believes that this situation could activate the sense of being stateless and complicate their sense of belonging.

One of the comprehensive researches about migrant experiences is carried on the book by DeBono, Ronnqvist, and Magnusson (2015) named "Humane and dignified? Migrants' experiences of living in a 'state of deportability' in Sweden". The book (2015) aims to question the statement of 'humane and dignified detention of the migrants' in Swedish law and create a discussion of the probability of the mentioned term. Certainly, living in the condition of the possibility of getting detained and deported could create damaging effects on migrants as well as their perception of dignified and humane life. The authors find Sweden a good case study because 'it has a good asylum, migration and returns infrastructure which takes stock of the migrants' basic needs' (ibid, p.21). Clearly, the chosen method for the study would be to look at the deportation processes from the perspective of the ones, who lived through it, but at the same time, that would be a great challenge to find migrants who are at risk of deportation. However, after conducting 26 interviews and using other qualitative methods to collect the desirable data, the authors spot some of the common themes in their experiences. Firstly, the feelings of anger and injustice among those left in the deportation system were the kind of experiences they faced (ibid). Secondly, being in the "limbo" position result in having symptoms of psychological concerns to the extent of suicide attempts (ibid). Thirdly, they felt that the Swedish authorities treated them as criminals (ibid). All of these findings indicated the difficulty of conceptualizing dignified deportation, firstly because any such acts would be characterized as the matter of unbalanced power

relationship between the state and the migrants, and secondly because there is an open interest conflict (ibid).

4. Theoretical Framework

In this thesis, the aim is to examine the multidimensional aspects of legal status, well-being, and social arrangements of stateless refugees and approach the development of this specific group from the normative framework Capability Approach. Using the mentioned concept provides a chance to look at the development field outside of economic wealth boundaries, helping us to engage with the experiences of the communities or individuals (Bockstael and Watene, 2016), and serving as an empowerment tool by putting the freedoms of and the control over people's choices (Egdell and McQuaid, 2016). According to Robeyns (2016), using the Capability Approach can serve different kinds of motivations, such as constructing a theory of justice, developing a cross-country empirical comparison, reforming an educational curriculum, developing alternative welfare economics, or evaluating the effects of laws on people's capabilities. In this study, I analyze how stateless refugees handle migratory processes in Sweden according to their capabilities of benefiting economic facilities and providing their material living conditions.

4.1 The means and ends of development in Capability Approach

Having this approach as a theoretical tool to analyze the principal means of development, Sen (2001) argues that development means to expand the freedoms that individuals have to enjoy their lives. 'The root of the capability approach is an insistence on referring to a wide range of types of information, notably about how people live – what they do and are – and their freedom – what they can do and be' (Gasper, 2007, p.8). Putting human freedoms as the central concept to development, the author contrasts this with the limited economic approaches to

development that focus on the Growth of the Gross National Product, industrialization, or technological improvement, or modernization, and so on (Sen, 2001). Surely, the power of Growth of Gross National Product or personal incomes, or the effects of modernization or industrialization, is not denied when it comes to expanding the freedoms of individual members of the societies (ibid). However, freedom advanced by development depends on the existence of other factors. Those factors can include social and economic arrangements, such as having well-functioning facilities for education and health care or providing political and civil rights, such as giving the liberty of participating in public discussions, and so on (ibid). Instead of focusing on all these elements of development that play a significant part in the whole process, expanding the freedoms to keep these elements reachable to all members of society is seen as the primary end of development in this approach (ibid).

The Capability Approach is not a theory that is useful in explaining such central issues to the development studies as the well-being of an individual, inequality, or poverty. It is a framework or tool that is efficient to conceptualize and evaluate these matters (Robeyns, 2005). By accepting development as an integrated process of expansion of substantive freedoms, in this approach, the development process is investigated in inclusive terms that integrate economic, social, and political considerations (Sen, 2001). While such political freedoms as elections and public discussions foster economic security, social freedoms, such as access to education and health care facilities open up space for economic participation. In its terms, economic freedoms, such as access to the labor market or production, can help generate the public resources for keeping social facilities (ibid). ‘Freedoms of different kinds can strengthen one another’ (Sen, 2001, p.11). Furthermore, while the freedom (or development) of agency (actor) is inescapably qualified and constrained by the social, political, and economic opportunities that are available, individual agency is, ultimately, central to addressing the barriers of development (Fukuda-Parr, 2003; Sen, 2001). If the necessary conditions and social opportunities are included, individuals can structure their living, so that they should not be seen as passive beneficiaries of development programs (Sen,

2001). 'Evaluating capabilities rather than resources or outcomes shifts the axis of analysis to establishing and evaluating the conditions that enable individuals to make decisions based on what they have reason to value' (Walker and Unterhalter, 2007 cited in Egdell and McQuaid, 2016, p.3). Utilizing the capability approach framework while grounded in stateless refugees' perspectives, this study tries to conceptualize what well-being means for the stateless refugees in Sweden by trying to determine their freedoms and deprivations while looking at the way of navigating their migration processes.

When it comes to the concept of *well-being*, different political and academic approaches have tried to define the concept but end up with a few similarities. The term well-being is also 'used interchangeably and complementarily with notions of health, quality of life and happiness' (Yap and Yu, 2016, p.316). However, because all of these concepts, including well-being, are culturally and contextually constructed, it is difficult to operationalize according to the given definitions (Alkire, 2015; Chiappero-Martinetti et al., 2015; Yap and Yu, 2016). According to Alkire (2015), one of the main relevant measurement features of the capability approach is its emphasis on *freedom*. In this framework, freedom is central to the process of development for two distinct reasons; *firstly*, the evaluative reason gives space for assessment of primary progress by checking whether the freedoms that people have been enhanced (Sen, 2001, p.4). 'The Capability Approach conceives of measured well-being as the freedom that people have to enjoy valuable activities and states' (Alkire, 2015, p.3). Since the understanding of having freedoms may differ, direct valuation is necessary to decide the relative weights of different kinds of freedom in evaluating individual and social progress (Sen, 2001). This thesis intends to accept the concept of freedoms of stateless refugees in Sweden as the central point; furthermore tries to assess which freedoms are available to develop their well-being, or which deprivations they face, to evaluate the enhancement of their freedoms. *Secondly*, the effectiveness reason is related to the achievement of development that is thoroughly dependent on the free agency of people (Sen, 2001, p.4). 'Freedom requires expanding the range of information relevant to assess people's lives beyond their observed

achievements, to the full range of opportunities open to them' (Stiglitz et al., 2009, p.151). Here, the relation between individual agency and social development goes beyond the established connection (Sen, 2001). While economic opportunities influence individual achievements, political liberties, social powers, and the enabling conditions of good health, fundamental education, and the encouragement and cultivation of initiatives, briefly, social-institutional arrangements, as the second part of the constitutive connection, are also influenced by the exercise of people's freedoms, their participation in discussions and in making of public decisions (ibid). 'The concept of freedom emphasizes the importance of empowering people to help themselves and of focusing on individuals as the actors of their own development' (Stiglitz et al., 2009, p.151). The emphasis on freedom finds its sense in Sen's explanation of agency. For the author, agent means 'someone who acts and brings about change, and whose achievements can be judged in terms of her values and objectives, whether or not we assess them in terms of some external criteria as well' (Sen, 2001, p.19). Furthermore, the development process is not different than overcoming the unfreedoms in this view.

4.2 The roles of freedom in human development

Since development means the expansion of freedoms in this approach, this process can be accepted as both *the primary end* and *the principal means* of development, respectively the "constitutive role" and the "instrumental role" of freedom in development (Sen, 2001, p. 36). The former involves the expansion of substantive freedoms to provide human well-being and includes a wide range of fundamental capabilities from avoiding deprivations like starvation, undernourishment, premature mortality to being literate and numerate, liberty for political participation, etc. (ibid). The latter deals with enlarging the development (ibid). In this view, there is no ranking in the mentioned substantive freedoms. So that lack of any would bring the deprivation from the value that matters for any

person. Sen (2001) considers the following types of instrumental freedoms that contribute to realizing the capabilities of people and interrelated with each other: *economic facilities*, *social opportunities*, *political freedoms*, *transparency guarantees*, and *protective security*. *Economic facilities* refer to opportunities that enable people to utilize profitable resources because economic well-being depends on the resources available for use. *Social opportunities* cover education, healthcare, and other arrangements available for providing a better life to individual members of society. *Political freedoms* refer to the liberty of selecting the governmental powers according to their principles. It also includes choosing between different political parties, criticizing authorities, freely expressing political views, having the uncensored press, etc. *Transparency guarantees* are needed to keep the trust element of the open society and prevent corruption, or financial irresponsibility, or underhand dealings. The fifth type of institutional contribution to the realization of capabilities – *protective security* is necessary to supply the social safety net to prevent the population from being subject to the maximum degree of struggle up to the level of starvation or death. Certainly, people are considered as being actively involved in their destiny. In addition, providing the capability to function in the mentioned spheres of society may enhance people's freedom. so it is argued that 'corresponding to multiple interconnected freedoms, there is a need to develop and support a plurality of institutions, including democratic systems, legal mechanisms, market structures, educational and health provisions, media and other communication facilities and so on' (Sen, 2001, p.53).

4.3 Measuring development

Putting the capability approach to the center of the research helps determine some aspects of well-being through the possible freedoms or deprivations. Measuring well-being means selecting determined dimensions (or capabilities in this case) and ruling out others. The hardship of this framework is coming with its

broad fields of investigation, units of analysis, and so on. Alkire (2015) argues that implementation of the approach depends on the purpose of the study, the level of analysis, the available data, by all means - the context. However, this does not necessarily limit the capacity of the overall capability approach. Many researchers doubt the practical application of this theoretical framework because of its lack of precise measurements for such interpersonal conditions as capabilities or freedoms. Chiappero-Martinetti et al. (2015) emphasize two interrelated and relevant fields of investigation; labor markets and education. Furthermore, using the current state of the art to apply the Capability Approach, the authors discuss how to tackle the methodological and empirical challenges. I discuss more broadly the challenge of operationalization of the approach in the Methodology chapter.

While the unit of the analysis of this study is individuals, one of the main fields of investigation is labor markets because one of the deprivations to the freedom of the studied group could be their entrance to the labor market in Sweden. This field of investigation is necessary because having a social living is very much relies on participation in economic alternation (Sen, 2001). Sen argues that the rejection of the freedom to enter the labor market is a primary way to limit people and keep them under captivity. To have the freedom in participating in economic life could be a remarkable contribution to development because economic unfreedom can open a space for social unfreedom, as political and social deprivations can advance economic unfreedom (Sen, 2001). The crucial challenges of development in many developing countries today include the need for freeing labor from explicit or implicit bondage that denies access to the open labor market (Sen, 2001). According to the author, this is a crucial matter of whether the market mechanism may or may not promote industrialization and economic growth. Certainly, the probability of finding jobs in a developed country like Sweden, the opportunities and limitations anticipate the development of stateless refugees in the country. As Sen (2001) puts it: "The richer countries too often have deeply disadvantaged people, who lack basic opportunities of

healthcare, or functional education, or gainful employment, or economic and social security' (p.15).

At the same time, Sen (2001) himself emphasizes the importance of looking beyond the income-related variables without ignoring the significance of economic growth. According to Chiappero-Martinetti et al. (2015), the second most common field of investigation has been accepted as education by many scholars. However, it is less consolidated comparing to the research of employment and requires further exploration. The theory of Human Capital claims that through education, formation of skills, people can be more productive and contribute to economic growth (Sen, 2001; Sweetland, 1996). Unterhalter (2017) argues that 'educational relationships that are social, emotional, epistemological, normative, political, cultural and economic cannot be simply measured'. The author puts education under the category of Negative Capability that reflects the uncertainties of education measurements. Sen (2001) discusses the relative similarities of the Human Capability approach and the Human Capital approach and argues that people may benefit from education when it comes to communicating or arguing, etc., even if they have the same income level. Thus, they can go beyond their role of human capital in production (ibid). 'The broader human-capability perspective would note and value these additional roles as well' (ibid, p.294).

Going beyond the economic variables and staying in a relevant set of well-being requires us to consider the political situation. By accepting famine as the maximum point of economic disasters, Sen (2001) points out that famines do not occur in democratic countries no matter their impoverishment level. The author relates this phenomenon with the preventive steps that democratic states tend to take: 'This would indicate that political freedom in the form of democratic arrangements helps to safeguard economic freedom and the freedom to survive' (ibid, p.52).

4.4 Critics against the Capability Approach

There are some critiques of Sen for not analyzing the political processes involved with the expansion of such freedoms, or failing to acknowledge the importance of a crucial element of the political freedom - social struggle, that has been historically necessary to achieve the redistribution of the resources in the society (Gigler, 2015, p.24-25). On the other hand, measuring people's capability brings questions that ask whether people have access to actual political participation or community activities that help them in their daily struggles. These questions require the input of political practices and institutions, 'such as the effective guaranteeing and protection of freedom of thought, political participation, social or cultural practices, social structures, social institutions, public goods, social norms, traditions and habits' (Robeyns, 2005, p.96). Effective transparency guarantees are highly related to the existence of other socio-political freedoms, thus Alam and Wagner (2016) argue that transparency guarantees target the accessibility, and the right to disclosure, and lucidity to deal with one another in society; also, could be efficient in preventing corruption and financial irresponsibility. In addition, the authors emphasize the complementary aspect of the instruments that serve to enhance human freedoms. They add the fifth category of instrumental freedoms to Sen's approach, and point out the connection by referring the protective security as 'the social safety net for preventing the affected people from starvation and death, and provides such fixed institutional arrangements as unemployment benefits, statutory income supplements, or famine relief' that would require the implementation of determined policies (Alam and Wagner, 2016, p.659). However, Sen (2001) emphasizes that the connection between political and economic freedoms does not reflect instrumental value only. The author focuses on the interrelation between economic and political freedoms, and adds two more characteristics to the relation between the mentioned two; both directly play crucial roles in association with basic capabilities providing human well-being, and they have constructive importance for the conceptualization of

needs. For Sen, ‘our conception of needs relates to our ideas of the preventable nature of some deprivations, and to our understanding of what can be done about them’. Following that, he argues that the proper understanding of economic needs requires an open public discussion (ibid, p.154).

The operationalization and measurement can be the standpoint of another side of the criticism, but it is elaborated in the Methodology chapter. On the other hand, the relationship between the individual and collective interests stands in another point of criticism (Jacobson, 2016). Here, the examination addresses the individual needs, and whether they are prioritized rather than collective needs in the Capability Approach. Certainly, putting the human agency in the spotlight in his framework, Sen shows how much individualism is necessary inside the fundamental social processes. However, he accepts that it is unimaginable to reduce the social processes to an individual level. ‘Sen’s Capability Approach is an ethically or normatively individualist approach, but it is neither ontologically nor methodologically individualistic’ (Robeyns, 2008, p.90 cited in Jacobson, 2016, p.798). Here, it is necessary to mention that the individualistic approach as a principal tool of analyzing the situation focused in this study takes its place when we start learning some of the individual experiences and stories of stateless refugees in Sweden. Robeyns (2016) argues that it is Sen’s ideology to treat each person as an end, and it makes sense since the capabilities are embodied in every separate individual. Every person should be treated as a holder of some kind of capabilities, and the affection should be searched by asking every individual separately (Robeyns, 2016).

When it comes to choosing a standpoint for the analysis of the capabilities or freedoms of stateless refugees in Sweden, which is examined in the Methodology chapter more broadly, I wanted to focus on economic facilities to look closer to the well-being of the chosen group. I discuss the reasons for that in the Methodology chapter. However, here, it is important to mention that in contrast to the argument of Alam and Wagner (2016) that the Capability Approach focuses on the societal aspects of development contrary to various development theories focus on economic conditions, I prefer to look closer to the economic facilities

provided for the stateless refugees to continue their living in Sweden. In particular, the job market is significant regarding the opportunities to establish the foundation for the research. Considering the scope of this master thesis, choosing one instrumental tool and deepening its insights would contribute to point out one of the main issues that the defined group has to deal with to provide their well-being. Certainly, when they left for Sweden or other countries in Europe, they left their houses, jobs, other belongings, and so on, and leaving all these behinds, starting a new life in a different country requires to provide the materialistic needs in the first place, and getting some sort of income. In their work, Reyes-Garcia et al. (2016) argue that holding a low relative economic position, and low level of income negatively affects the well-being of the people. Moreover, as it is explained above, since all the five instrumental freedoms; economic facilities, social opportunities, political freedoms, transparency guarantees, and protective security, are interrelated with each other, during the research, they will be considered as a whole system of the Capability Approach.

5. Methodology

According to the research questions of this study, I investigate the well-being of the stateless refugees and how they navigate their migratory processes in Sweden. The main focus is on their capabilities or freedoms, also deprivations against realizing their development through their agency. However, the migratory processes around the given category of refugees and measuring the capabilities or freedoms provided for them have more sides than this study could cover, considering the scope, space and time, and resource limitations. In that case, choosing one aspect of the well-being of the mentioned group and deepening the existing knowledge about the institutional freedom in economic facilities and stateless refugees' capabilities to provide their material conditions could help overcome the difficulties in the operationalization of the chosen theory. According to Chiappero-Martinetti et al. (2015), researchers, who want to address the empirical use of the Capability Approach, should consider series of choices and decisions. Those decisions include the evaluative space, the number of indicators to be measured, the unit of analysis, and the elements of heterogeneities that differentiate these units (*ibid*). The evaluative space typically includes capabilities, but it covers the agency of the studied group in this research by considering their points of view. Furthermore, their agency is essential in choosing the indicators to measure. However, the standpoint of this research is their material living conditions to provide their well-being. Stateless refugees in Sweden are the unit of analysis, and the element of heterogeneity that differentiates them is the fact that they are stateless refugees.

I consider the studied group's perspective of their situation and their difficulties navigating the migratory processes. It requires choosing a case study design focusing on the collection of the qualitative data. Stake (1978) states that case study researchers are not required to provide generalization but rather explain the studied case comprehensively and in a way that captures its unique features. Moreover, because acknowledging agency is considered as one of the core

elements of the Capability Approach, endorsing agency even at the minimum level without having any standardization claim for that should take place in the implementation of the approach (Robeyns, 2016). With the purpose of applying the named approach to my study in high consideration of the agency of the stateless refugees in Sweden, I use more inclusive qualitative methods of data collection. As a result, interviews, and discourse analysis are two main considered data collection methods, while narrative analysis is chosen to analyze the collected data. However, the challenge of finding stateless refugees in Sweden and conducting qualitative research about them has made it difficult to conclude this research with the representative findings. Moreover, the limitations to this thesis and the acknowledgments for ethical considerations that come along with the chosen research method have been taken place in the sections of this chapter.

5.1 Operationalization in accordance with the theoretical framework

As explained before, the Capability Approach developed by A. Sen constitutes the theoretical framework of this study. In order to translate an abstract concept into something that we can measure, we need to define the indicators of them (De Vaus, 2001). Choosing the mentioned approach as the theoretical framework of the study requires the operationalization of the research in accordance. However, as touched upon in the previous chapter (theoretical framework), operationalization, under this approach, faces some difficulties pointed out by different authors (Alkire, 2015; Byskov, 2017; Chiappero-Martinetti et al., 2015; Fukuda-Parr, 2003; Zimmermann, 2006). Chiappero-Martinetti (2015) specifies the limitations of the Capability Approach implementation and includes the context-dependent characteristic of the approach, the lack of particular measuring interpersonal conditions, and the difficulty in choosing definite capabilities to research on. 'For the amplitude of aims and tastes that characterize well-being

make it as difficult to measure as it is important' (Alkire, 2015, p.1). The author further argues that another challenge lies in integrating well-being measures into policymaking and making a connection with macroeconomic analysis (ibid). Byskov (2017) argues that the main task for utilizing the capability approach in development policy is selecting applicable capabilities. It divided theorists who discuss the necessitated nature of this task into different sides. The question is if it has philosophical or public nature. However, this division on its own is counterproductive to the operationalization of the Approach (Byskov, 2017). Human capabilities constitute a great range, but the relative significance of those capabilities can vary from person to person, one country or community to another, within the social context and the given time, and so on (Fukuda-Parr, 2003). Zimmermann (2006) argues that the Capability Approach has been operationalized with the utilization of quantitative methods most of the time. However, in this study, I examine the perspective of the individuals about their conditions and I investigate the deprivations of their development using the qualitative method of interviews.

In order to be able to develop the analysis, I need to narrow it down in relation to the motivation of this study and 'to specify which capabilities matter for the particular capability theory' (Robeyns, 2016, p.408). Despite all the issues and debates around the Capability Approach, a lot of national and international initiatives have been carried out to measure the well-being of people. Since the first launching in 1990, Human Development Reports have based on two criteria to decide the most crucial capabilities: 'first, they must be universally valued by people across the world; and second, they must be basic, meaning their lack would foreclose many other capabilities' (Fukuda-parr, 2003, p.306). The report by Stiglitz J.E., Sen A., and Fitoussi J.P. (2009) that was published under the Commission on the Measurement of Economic Performance and Social Progress includes some recommendations on how to improve measurements of well-being and progress, which are also followed-up by OECD (2011: p.15). OECD (2011) identifies three pillars for understanding and measuring the well-being of people. This approach draws closely on the ideas of the report by Stiglitz

et al. and settles material living conditions (*i*), quality of life (*ii*), and sustainability (*iii*) as the main elements of estimating well-being (ibid, p.18). Income and wealth, jobs and earnings, and housing conditions are considered the material living conditions (Durand, 2015; OECD, 2011). Health status, work-life balance, education and skills, social connections, civic engagement and governance, personal security and life satisfaction, and environmental quality reflect the quality of life (Durand, 2015; OECD, 2011). The third pillar is sustainability, and it represents future well-being. It is 'assessed by looking at some of the key resources that drive well-being over time and that are persistently affected by today's actions' (Durand, 2015, p. 5). According to OECD (2011), sustainability of well-being over time requires preserving natural capital, economic capital, human capital, and social capital. In this study, there are several reasons to choose the economic aspect of well-being, and measuring the given groups' capabilities to supply the material conditions in Sweden. This decision based on the researcher's capability, the resources allocated for the study, and the scope of the research. However, the fundamental consideration is the significance of the mentioned measurements. Providing material conditions is essential for basic needs. It can enhance an individual's freedom to choose the lives that they want to live, and it is the universal aspiration of the people around the globe (OECD, 2011; Sen, 2001). However, since the theoretical framework of this study values the agency of the individuals, their perspectives of the needs for development must be taken into consideration.

All these considerations of the theory have been found their applications in the interview questions of this study, which can be found in Appendix, by reflecting the inquiry related to the material living condition, navigation of the migratory process, and their own perspective of the barriers for their development, also during the other data collection process through the documents, these points have been followed.

5.2 Research design, sampling, data collection and analysis methods

When it comes to choosing the relative research design, this thesis corresponds to the features of the case study. It necessitates detailed research on a specific case that could entail the consideration of any community, organization, or person, and so on (Bryman, 2016). If we think of a case study in a similar way to experiment, the choice of a case study would not mean that we accept or reject any theory considering a single experiment. It consists of replications of an experiment mostly that we conduct under different circumstances, and if we find similar results, it can help us develop greater confidence in the findings (De Vaus, 2001). Using the case study method advantages the researchers according to several reasons. Firstly, because of its accessibility that they can take us to places where otherwise we might not have a chance to go (Donmoyer, 2000). Secondly, they allow us to see the world from the researcher's perspective, thus seeing things we otherwise might not have seen (ibid). Lastly, comparing to direct experience, case studies contain decreased defensiveness and resistance to learning (ibid). According to Yin (1981), the strength of the case study design is its coverage of the examined contemporary phenomenon and its real-life context. In this work, the given research design is decided because, here, the investigated phenomenon was the capabilities of the stateless refugees, and it could not be considered without the context of living in Sweden, under the circumstances that the country had created for the mentioned group to provide their well-being. It was in these circumstances that the navigation of their migratory processes had been carried, and it would be impossible to have a correct image of the capabilities of stateless refugees without considering the context within which it occurred (Baxter and Jack, 2008).

The sampling approach of this study is based on purposive sampling. It means that 'the sampling is conducted concerning the goals of this research. Thus units

of analysis are selected in terms of criteria that will allow the research questions to be answered' (Bryman, 2016, p.418). According to Mason (2018), many researchers in social science sample people because there is a notion that people are distinguishable, and they are meaningful data sources (ibid). To follow Bryman's (2016) two levels of purposive sampling, when we refer to the research questions of this study, we see that the sampling context corresponds to Sweden and being a stateless refugee in Sweden, while the sampling of participants constitutes the stateless refugees. The reason to examine this case in all of Sweden but not in one or two particular regions is related to the sampling strategy of the research - snowball sampling. It means I initially sample people who are relevant to the research question and ask them to propose others who have had the experience or characteristics that are relevant to the study. It would allow me to reach out to larger geographical areas, in particular, in the time of pandemic when the interviews tend to be conducted digitally (Bryman, 2016).

Certainly, choosing a distinct group of people to study should be followed by the collection of relevant data about the decided case (Bryman, 2016). To gather information about the current situation of stateless refugees in Sweden, their capabilities provided by the Swedish government, I conducted discourse analysis and collected relevant documents to do so. To analyze the data, I gathered information from different levels of documents. On the international level, those documents include two main international agreements about stateless people that the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, official documents derived from different international governmental and non-governmental organizations such as reports about stateless people by United Nations High Commissioner for Refugees, Organization for Economic Cooperation and Development, Institute on Statelessness and Inclusion, various internet resources, and other related documents. On the national level, data is taken from the website of the Swedish Migration Agency, the Swedish Act on Citizenship, different country reports about the reception policies of Sweden, and various other researchers. 'Documents are written to get something done and as such are parts of chains of

action that are potential research topics in their own right' (Bryman, 2016, p.556). This method is necessary because documents make "things" visible and traceable (Prior, 2003, p.86). After doing desk research about the situation of the stateless refugees, gathering information of the given capabilities to them, learning their rights and freedoms from the sides of institutions deciding and delivering those freedoms, the next step was "to prove them right" by asking the people who were affected by them. One of the core characteristics of the chosen framework (Capability Approach) relates to the observation that some limits of people's capabilities can be caused by structural constraints that affect members of the various groups differently, and those constraints should be figured into the capability account (Robeyns, 2016). 'That means that they cannot simply be ignored; one has to ask whether there are structural constraints that are relevant for the capability analysis one is performing' (ibid, p.407). Here, it is necessary to combine the discourse analysis and the interviews. Therefore, I conducted semi-structured interviews with the selected group and collect information based on their insights about their capabilities. According to Mason (2018), when the ontological position of the study suggests learning knowledge of people, their points of view, stories, and narratives, experiences, etc. in order to create meaningful properties of the social reality that the researcher wants to explore with the help of the research questions, it could be a reason to choose qualitative interviewing as such data collection method. As mentioned above, the interview questions reflect the capabilities of people to navigate their migratory processes, their material living conditions, and deprivations they think would constitute a limitation for their development. The information about the semi-structured interviews illustrated in Appendix. The choice of semi-structured interviews is based on their emphasis on the points of view and the insights of the interviewees about the given topic. It is also related to their flexibility to provide opportunities to change and develop the questions during the interview, but also being semi-structured means there is an interview guide, the list of questions still directs the flow of the topic, and the generated answers serve to be coded and processed quickly (Bryman, 2016).

De Vaus (2001) argues that data analyzing methods for the case studies are lacking systematic development; however, it is possible to analyze many variables in a case intensively by structuring them around theoretical ideas. One approach to do this could be using the lens of a process or narrative analysis focusing on the process in which phenomena occur (Becker, 1992). The reason to choose this perspective is that very often such kinds of analyzes will want to trace links between versions of the particular and the contextual, thus instead of focusing on cross-sectional, it takes a holistic and ecological approach to the phenomena (Mason, 2018). During and after collecting the data using interviews and discourse analysis, the next step, which is the analysis of the collected data, starts with coding, and to consider the scope of this study hand-coding is the decided way of doing it. ‘Codes will be used to link or test for associated ideas; they will need to become connected in various ways to build a meta-narrative, a meaningful word picture’ (Bazeley, 2013). Using a software program would be required when an immense amount of resources and time were allocated for the research. Moreover, during the data collection process, according to my research puzzle and the interview questions, I already had a general idea of what to investigate. Thus data analysis was carried starting with the holistic coding method to capture the sense of the overall contents, and this made the organization of the data easy to handle, enabled me to make comparisons to find out both the uniqueness and the similar patterns in the case (Miles, Saldaña, and Huberman, 2014). Using this method is based on the aim of having a hermeneutic way of thinking about the study, which is an ‘iterative process of understanding the meaning of the whole and the parts within it as interdependent activities’ (Bazeley, 2013, p.203). According to Mason (2018), adopting such an approach could be built upon the rationale that the researcher is interested in the development of something that could be easily handled with more holistic forms of data organization, and would be too complicated to be amenable to cross-sectional indexing, furthermore, it is likely to have a great emphasis on context.

5.3 Limitations, Positionality and Agency

Limitations to the study come in different aspects of the whole research. Moreover, as the limitations to the operationalization of the study have been pointed out at the beginning of the chapter, here I touch upon the consideration related to the other subsequent parts. Firstly, as mentioned before, this research illustrates the features of the case study research design, including the limitations that case studies carry within themselves. The case studies have an advantage in studies related to human affairs, especially when ‘understanding, the extension of experience and increase in conviction in that which is known’ are the aims, but they are not suitable to generalization (Stake, 1978, p.21). However, in its classical form, generalization can’t be achievable because there are always some conditions, contingencies, and disjunctions to consider; moreover, not any human action can be context-free (Lincoln and Guba, 2000). Stake (1978) argues that case studies are usually the preferred method of research because they may epistemologically reflect the reader’s experience and this reflection is a natural basis for generalization for that person. In this study, one of the main limitations to generalizing the data is the number of interviews conducted, which is related to the difficult situation concerning the available data and connection methods about the researched category of refugees. Given this discussion, Lincoln and Guba bring the replacement of generalization with the term of “fittingness”; the authors argue that the concept of fittingness, which emphasizes analyzing to what extent the studied situation matches with other interesting situations, would give a more realistic and workable basis for generalization rather than the classical approach to it (Lincoln and Guba, 2000). It means that readers of the case study should decide whether the findings apply to other cases other than the one researcher worked on. Therefore, the burden of proof is on the reader, not on the researcher. However, the researcher carries the responsibility for providing a comprehensive description of the study that would allow the readers to assess the similarity between different cases (ibid). As a logical consequence of this, in this study, I search for a

substantial amount of information about stateless refugees situation, and the setting in which they try to develop their life because 'without such kind of information, it would be impossible to make an informed judgment about whether the conclusions drawn from the study of any particular site are useful in understanding other sites' (Schofield, 1993). Moreover, in this study, my goal is not the production of general conclusions that would make to ask what this study tells about the wider population, instead, I do theoretical generalization and ask what this study tells about a specific theory, and, certainly, this does not reduce the value of it (De Vaus, 2001).

Secondly, other limitations or considerations should be pointed out concerning the data collection methods. Here, the first issue is how much social and organizational realities are reflected by the documents. Atkinson and Coffey (2011 cited in Bryman, 2016, p.554) argue that 'reality should be examined considering the context in which they were produced and by whom they were intended to be read'. Moreover, the central message in Atkinson and Coffey (2011 cited in Bryman, 2019, p.555) is that documents are some texts written for a defined purpose in mind, and they have a special ontological status. Whatever they reflect in them should not be accepted as the representative of underlying organizational or social reality. At this point, I would like to reflect on my positionality in this research; like the documents, I plan to dive into for collecting data, certainly, I stay unbiased throughout all the writing process, including the choice of the documents that I use in my analysis, the decision of the interview questions, and the analysis of all the collected data. According to De Vaus (2001), the description of a case always involves the selection of relevant facts, but the researcher decides that what is relevant and necessary. 'The inevitable subjective element of case study analysis does not mean that such analysis is therefore not worthwhile' (ibid, 251). When it comes to sampling and using interviews as a data collection method, it may be hard to set how many people should be interviewed before and during the research and also to decide that the amount of interviewed people is enough to achieve the necessary confidence to present the findings (Bryman, 2016).

5.4 Ethical Considerations

I am aware of many of the ethical considerations coming along with the chosen study subject, and they are highly related to the decided research methods. Using different documents as a way of collecting and analyzing the data requires considering several ethical issues.

Those issues include the linkage between the forms of visibility and documentation, agents, and their tools for documentation because the same things can be made visible or translated in different ways. According to Prior (2003), in any system of translations, there will be controversies and disagreements about what is being made visible, and how documents are used in such controversies should be central to the social scientific enquirer.

Choosing interviews with a vulnerable group of people makes me think carefully about the security of the identities of the research participants. I cannot harm the safety, dignity, or privacy of my interviewees. In particular, questions about personal or private matters, traumas, tragedies, illegal activities or mistakes, or that may stress, worry, or annoy the participants require more consideration (Mason, 2018). During the interviews, I paid attention to get the consent of participants by explaining the aim of my research. Certainly, to protect them from harm, I considered their will for withdrawing their consent in any stage of the study. I believe I gained the trust of my interviewees by giving them a guarantee of their confidentiality and anonymity and promising to be careful about the revealing of the information that I gathered throughout my interviews. To provide their anonymity and confidentiality, instead of revealing the name of the participants, I prefer to give them a representational name during the analysis of the research. The reason to do that is to avoid using numbers or letters by the participants' names, but rather using another name to reflect their humanity.

6. Result Analysis and Discussion

‘Every person needs a home-country identity document that is something to show that the person belongs to some country. It is necessary for both sides – people who are asking asylum, and the organization which deals with this person’s migratory case. For the organization’s point of view it is important to know who is this person, and from where he/she is coming from. They can’t approve this movement without seeing the mentioned document. In 2015, approximately 9000-10.000 young people from Afghanistan and Iran (those who were born and raised in Iran) came to Sweden to seek asylum. It created critical situation for both sides. Some of these people who grew up in Iran haven’t seen their home country, and don’t know even which provenance they belong to were subjected to the kinds of interviews that had to show their identities. They had to prove that they are exactly from Afghanistan. But they didn’t have any kind of document in their hand to show. Due to this situation many of these young people got negative decision about their asylum seeking. Even some of these people tried to end up their life because they couldn’t deal with the stress that was generated during these migratory processes’ (Ali, expert informant).

This part of the study discusses the experiences of the stateless refugees in Sweden concerning the barriers they face to their development using the information gathered during the interviews and drawn from other studies reviewed in this research. Firstly, I outline the situation of stateless refugees in Sweden starting to dive into their migratory journey to Sweden and identity issues around them. In the second part, freedoms set by the integration programmes by the Swedish government to support the well-being of the mentioned group are investigated, followed by the responses of the stateless refugees on their practices of realization of the given capabilities. Lastly, considering their agency and following the problems that they pointed out during the interviews, I discuss the bureaucratic barriers to the realization of their capabilities that limit their potential for development. To conclude, I bring up the new migration bill and its possible effects on creating a prolonged stateless situation.

6.1 Migration to Sweden

6.1.1 Identifying the statelessness of asylum seekers

According to the UNHCR report “Mapping Statelessness in Sweden” (2016), people that are registered as stateless in Sweden are foreign-born and a considerable number of them entered Sweden through the asylum channel. Asylum seeking is often confused with being refugee, but when people apply for asylum, it means they still wait for the decision on their recognition as a refugee (de Haas, Miller, and Castles, 2020). Sweden is one of the countries that signed the 1954 Convention and ratified it later, in 1965². It is important because due to the lack of national legislation for assessing an individual’s potential statelessness, a person’s nationality must be assessed under the Convention (UNHCR, 2016). In the introductory note to the 1954 Convention by the Office of the UNHCR, the significance of the assessment according to the convention could be found in the following statement:

‘The 1954 Convention’s most significant contribution to international law is its definition of a “stateless person” as someone “who is not considered as a national by any State under operation of its law.” For those who qualify as stateless persons, the Convention provides important minimum standards of treatment. It requires that stateless persons have the same rights as citizens with respect to freedom of religion and education of their children. For a number of other rights, such as the right of association, the right to employment and to housing, it provides that stateless persons are to enjoy, at a minimum, the same treatment as other non-nationals’ (UNHCR, 1954, p.3).

The registration of the stateless people in Sweden is conducted by two public figures: SPR and the Register of the SMA (UNHCR, 2016). ‘The SMA, Migrationsverket, is the authority responsible for establishing and assessing the identity (including nationality or statelessness) of asylum seekers’ (Tucker, 2018a,

² https://treaties.un.org/Pages/ViewDetailsII.aspx?src=TREATY&mtdsg_no=V-3&chapter=5&Temp=mtdsg2&clang=_en#top

p. 25). As it is mentioned already, Sweden is in the category of countries that do not possess specific legislative or regulatory guidelines to determine statelessness (Bianchini, 2018), and due to that, there is a risk of someone being registered as stateless in one of the mentioned registration systems, meanwhile obtaining “unknown nationality” or “under investigation” status in the other one (UNHCR, 2016). Tucker (2018a) explains the place of spotting statelessness while assessing the applications for asylum in Sweden and claims that the questions asked by migration agents do not contain the specific intention of finding out the nationality or settling their statelessness. During the investigation interview in SMA, people looking for asylum should say who they are, where they are coming from, why they are seeking for asylum and their prediction of the circumstances that could happen to them in the case of return to their homeland, also they may be asked about their family, health and occupational background³. Certainly, the lack of specific guidelines for the caseworkers in SMA can cause several problems. UNHCR (2016) finds out that not only there are not specialized staff dealing with the asylum cases that may also be included in the stateless category, but also all the caseworkers are expected to utilize the legal provisions related to citizenship in the country of origin of the asylum seekers. However, despite the importance of the process, how the caseworkers in SMA assess the operation of the country of origin’s nationality law is unclear (Tucker, 2018a). According to SMA⁴, the burden of proving one’s identity is on the persons themselves, and in this instance, by identity, the rule means the person’s name, date of birth, and person’s citizenship. Thus, stateless asylum seekers are expected to raise their statelessness issue during the interviews; moreover, according to Tucker (2018a), the legal position accepted by SMA in 2016 re-affirms that the stateless claim should be probable. This can also be problematic in different circumstances, it is possible that not all of the stateless people can prove their statelessness or some of them

³ <https://www.migrationsverket.se/English/Private-individuals/Protection-and-asylum-in-Sweden/Applying-for-asylum/Asylum---from-application-to-decision.html>

⁴ <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/Citizenship-for-adults/Proven-identity.html>

may not raise the issue as a result of the fear of negative affiliation or decision. Predictably, one of the interviewees shares their experience with SMA using the term “frustrating”:

‘I guess, the easiest word to explain all these processes is frustrating. Everything takes longer time than, I guess, it supposed to take. Of course, I understand there are a lot of people, and the agents are overwhelmed with all of the refugees coming at the same time. But, the experience is frustrating because you don’t get a lot of answers. And most of the answers are almost automated, so everyone gets the same answer’ (Kadir).

6.1.2 Profile of the stateless refugees

According to Migrationsverket (2021a), the total amount of applications received by asylum seekers throughout 2020 was 12.991. Given the 375 applications by stateless refugees, the number of applications for asylum by stateless people constituted 2.89% of the total applications. While the total number of applications for 2020 is around half of the applications for 2017 (25.666), and significantly less than the other years in between, the numbers for 2021 (until April) are indicated 2549 (Migrationsverket, 2021b). In 2020, 714 decisions have been made by SMA (the first instance for the decisions of asylum cases) about the stateless asylum applications of which 236 granted with a residence permit that constitutes 33% of the made decisions (Migrationsverket, 2021c). According to Migrationsverket monthly statistics in April (2021b), the number of applications for asylum by stateless persons in the first three months of 2021 illustrates the number of 86, which takes a large proportion together with 237 Syrian, 176 Afghani, etc. asylum seekers. In this period, 90 decisions have been made, of which 32 granted with a residence permit, and it constitutes 36% of the made decisions (Migrationsverket, 2021d).

According to UNHCR (2016), the SPR is the only source for information about the origin or background of people registered as stateless persons in Sweden. However, it only indicates the information about those who are already

holding a residence permit (ibid). Most of the stateless people are coming to Sweden are Syrians, Palestinians or have come from other areas in the Middle East⁵. Their reason for becoming stateless can vary depending on the area they come from. For instance, the expert informant explains the causes of young Afghani people becoming stateless as a result of the carelessness of the government, and also the people, concerning the proofs of identification as a citizen of the country:

‘The reason goes 10-20 years ago, because nobody cared about a paper or ID at that time. In Afghanistan, when kids were born during that period they were only given a piece of paper that didn’t even indicate the exact date of birth, because nobody cared about giving an Afghani ID to them. Later in their lives, these people were working in non-formal labor sector; in there also nobody cared about their ID. And now those young guys are facing with statelessness problem because of it’ (Ali, expert informant).

Palestinians constituted the largest group of stateless refugees in Sweden until the recognition of Palestine as a State in 2014 (UNHCR, 2016). This recognition changed the practice of registration of all the refugees from Palestine as stateless. According to UNHCR (2016), after the 2015 Judicial Position, it is affirmed that despite the lack of citizenship legislation, people coming over West Bank, Gaza, or East Jerusalem should be registered as the citizens of Palestine, while other Palestinians should be registered as stateless. Moreover, their asylum application should be assessed concerning their previous country of habitual residence. ‘The SMA estimates that around 80 percent of the stateless applicants for asylum in 2014 originated from Syria’ (ibid, 26), consequently, it is also related to the fact that today the highest amount of asylum applications are received from Syria (Migrationsverket 2021a; 2021b). While stateless Palestinian applications constitute a high proportion among the ones that originated from Syria, Kurds are

⁵<https://sverigesradio.se/artikel/7537987#:~:text=Statistiska%20Centralbyr%C3%A5n%20SCB%20uppger%20att,n%C3%A5got%20annat%20omr%C3%A5de%20i%20Mellan%20B6stern.>

the other group of people that make up a large proportion likewise. According to McGee (2016), in 2011, Bashar al-Assad, the Syrian president, issued a legislative decree enabling a large number of Kurds from Syria to acquire nationality while another category of stateless Kurds kept excluded from its provisions. The Syrian crisis has prompted mass population displacement, it affected not only the regional countries but also the European borders, as a consequence of the movement of tens of thousands of stateless Kurds from Syria (ISI, 2014).

All these groups of stateless persons and many more who come over different countries to Sweden for various reasons should be treated according to the 1954 Convention. The Convention reflects the agreement on ensuring at least a minimum set of human rights for them by the countries that are the parties. While the Convention establishes those minimum standards as the right to education, employment and housing, it also guarantees stateless people a right to identity, travel documents and administrative assistance⁶. As Sen (2001) puts it, ‘our opportunities and prospects depend crucially on what institutions exist and how they function; not only do institutions contribute to our freedoms, their roles can be sensibly evaluated in the light of their contributions to our freedom’ (p.142). In the following parts, the freedoms and the deprivations of the stateless refugees on providing their material living conditions together with the contribution of the Swedish government, and various possible barriers for their development from their point of view are examined.

6.2 Freedoms and deprivations in Sweden

6.2.1 Rights of stateless refugees

⁶ <https://www.unhcr.org/un-conventions-on-statelessness.html>

Before going into details, it should be mentioned that due to the lack of statelessness determination procedures in the Swedish national law, there is also not any specific status for the stateless people; moreover, according to UNHCR (2016), ‘most of the rights granted to stateless persons in Sweden are not based on their statelessness per se, but on the immigration and residence permit granted in other procedures’ (p.43). However, when we look at the 1954 Convention, that Sweden is also a part of, we could see that the ‘Convention guarantees rights to stateless persons on a gradual, conditional scale, with some protections applicable to all stateless persons, and others dependent on the legal status or stay of the individual’ (ibid, p.48).

The 1954 Convention differentiates the circumstances, and consequently is entitled to some rights, between the status of being “lawfully in the territory”, and “lawfully staying in the territory”. In order to help overcome the problems related to practicality in everyday life, and to lower down the extreme vulnerability level that the stateless people could be in, the Convention requires all the party States to provide all stateless persons lawfully in their territory with necessary identity documents and travel papers, and facilitate the assimilation and naturalization and prohibits the expulsion of them (UNHCR, 1954). Right to self-employment, freedom of movement within the State, to be provided with identity documents, protection from expulsion are the main rights that have been mentioned in the Convention for all the stateless people in the territory of the party State. According to UNHCR (2016), ‘stateless persons, who have been granted a residence permit, including a temporary permission to stay for more than a few months, would fall within’ the category of “lawfully staying in the country” (p.48). In addition, the rights afforded to the stateless persons who are “lawfully in” the territory of the State and are subject to the jurisdiction of the State, the Convention includes the following rights for the stateless people lawfully staying in the Contracting State’s territory: the right of the association, engaging in wage-earning employment, practicing a liberal profession, access to public housing, public relief, being an equal subject of labor legislation and social security, issued

travel documents to be able to travel outside the contracting State's territory (UNHCR, 1954).

Although various types of rights are attained by stateless refugees in the Convention, in the following paragraph, according to the research question, the rights that are related to material living conditions of well-being are examined.

6.2.2 Freedoms for providing well-being

As mentioned above, the stateless persons who are lawfully in the country obtain the right to self-employment. Meanwhile, persons who are lawfully staying in the country, in other words, who have a residence permit in Sweden, are eligible to work, practice liberal professions, and are also subject to labor and social security rights. Having a right to employment could provide the legal framework to work, and generate income for the well-being of stateless refugees; however, it should be enforced by other freedoms and opportunities to enlarge the capabilities of stateless refugees, or refugees and other categories of migrants in general. The freedoms or opportunities provided to refugees in regard to their integration into the Swedish labor market could be found out by analyzing the integration policies of the country. It is important to mention that the main goal of the Integration Policy and its implications is 'to allow newcomers to establish themselves, by providing services and facilitating access to work that will allow them to support themselves and their families' (Cetrez et al., 2020, p.23).

Today, the most recent foreign-born employment rate in Sweden, which indicates the number of employed foreign-born persons among the total foreign-born population, is illustrated as 65.80%, which is higher than such countries as Denmark, Finland, and Belgium. However, it is lower than Norway, the Netherlands, Germany, Switzerland, and many others (OECD, 2021a). Moreover, among the OECD countries, Sweden holds third place after Greece and Spain regarding foreign-born unemployment with a 15.50% rate according to the latest available data (OECD, 2021b). According to OECD (2016), Sweden has faced various wide-ranging implications for integration policy outcomes after 2015 due

to its welcoming attitude towards a large number of refugees. In this context, refugees, especially, stateless refugees are considered particularly vulnerable regarding the successful transition to employment in the host country. ‘Many humanitarian migrants arrive either with very low levels of education or with education, obtained overseas, which is not easily comparable to education in Sweden’ (p.42), in addition to the possibility of not holding proof for qualifications they have, in particular, in the case of stateless refugees without any documents (OECD, 2016). Given the demands of a high-skilled labor market, education and skill training have become the main pillars of Swedish labor market integration policy to decrease the unemployment rate among the foreign-born population (Cetrez et al., 2020).

As mentioned above, getting a residence permit would allow an asylum seeker to be free from getting an additional document for work. Moreover, before getting a residence permit, if people can verify their identity and prove that their asylum application is under the responsibility of Swedish authority, they can get a special permit (AT-UND) which allows them to work directly after their arrival (Barthoma et al., 2020). Considering the possibility of the negative final decision or even a refusal for entry, given Swedish reception policy allows asylum seekers to change their application to a labor migrant if they have already been provided by occupation for more than four months (ibid). Moreover, to accelerate the integration process, the Swedish government accepted fast-track programmes that directed refugees into jobs equivalent to their professional education or work experience. In addition, the government enhances educational and vocational training programmes to provide the refugees with the required language skills and certifications (Cetrez et al., 2020). People with granted asylum or residence permits are involved in the Establishment Programme (Etableringsprogrammet), which allows the municipalities to help assess skills and needs for each individual to enter the Swedish labor market. The programme provides them with SFI classes, civic orientation courses, career support, counseling, etc. (ibid).

Another point in the well-being of the stateless refugees is their housing condition, which could also be a significant challenge to tackle when they enter

the country. In the Swedish Integration Policy, the division of the responsibility is divided between SMA and municipalities, which are the responsible authorities for asylum seekers, respectively, until they get an official residence permit and after that (Barthoma et al., 2020). Housing for those without a residence permit can be arranged, either the asylum seekers themselves, which usually involves staying in a relative's place who has already been living in the country, or it can be arranged by SMA, which includes being placed in a location that is not based on one's choice (Cetrez et al., 2020). The first option is not considered ideal as it can cause segregation between Swedes and immigrants. Thus new legislation that restricts chances for housing arrangement by asylum seekers has been introduced, since the beginning of 2020. According to Cetrez et al. (2020), this legislation, with the purpose of encouraging the asylum seekers to settle in such areas that obtain more possibilities to employment, also includes loss of their daily allowance during their asylum processes in case of their own choice of housing in a place that has socio-economic challenges. Moreover, the ones that chose to arrange their accommodation during the asylum period are not subject to the assistance of municipalities, which is an option to others according to the 2016 regulation, concerning provide accommodation after they get a positive decision (Barthoma et al., 2020). As it is mentioned, after getting a residence permit refugees can apply the assistance of municipalities, however, according to Swedish Board of Housing, Building and Planning (Boverket), 212 Swedish municipalities among 288, that provided the data out of 290 in total, are facing housing deficits for the assigned newcomers⁷. According to Barthoma et al. (2020), not only the legislation does not include measures for sanctions if municipalities do not accept newcomers within the specified time, which is two months after the decision, but also accommodation type, its standards, length of a

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<https://www.boverket.se/sv/samhallsplanering/bostadsmarknad/bostadsmarknaden/bostadsmarknadsenkaten/>

rental contract, costs and other essential sides of the housing are not subject to specific guidelines.

6.2.3 Experiences of stateless refugees in terms of the provided freedoms

During the interviews, when participants were asked about such living conditions as their way of providing income and job opportunities, and housing conditions, the answers were various. However, the commonality would be their own initiatives to get housing and the motivation to spend effort on finding jobs that are equivalent to their skills. As 46 years old *Abbas*, who was the owner of a grocery store before coming to Sweden, talks about his life:

'I couldn't get my own place, now I live with my cousin. I started secondary school here, in Sweden. I don't feel like I am old (he laughs). I get study aid (from CSN) that is enough to provide my living because I live with my cousin, otherwise it wouldn't be enough. I haven't started to search for a job. Because of the studies I don't have time to work. But I don't think that I would face some obstacles when it comes to search for a job because of my stateless refugee condition. I think I can find a job that is equivalent to my skills, it is just, I haven't search for it yet' (Abbas).

The newcomers are involved in integration programmes keeping their educations and skill earnings in the center, and registering themselves as job seeker helps them to find skill-based jobs. 23 years old *Ahmed* talks about his life while we are having a cozy conversation on the balcony of the student house that he lives in:

'I would like to get my house one day. I know that for that I need to find job. I study to be car mechanic now and get CSN money. I have only worked for summer jobs here. It was just for three weeks and the municipality helped me to find it. It wasn't hard to find. I was registered as a job seeker and they helped me find one easily. I am still waiting for the respond to my citizenship application and until the time I got it I have to live in some way. My life is not perfect but it is going good' (Ahmed).

However, not all the time the skills and education that they are enrolled in are the same as what they have wanted to do. *Layla*, 24 years old woman, who is

already in Sweden for 5 years, and recently has applied for citizenship waiting for her answer shares her experiences with the freedoms that have been provided by the Swedish government:

I study building and wood working in Sweden and live in a student housing. When we came here, first I was living with my family. They got a place here but later they moved to another city and I stayed. Because I study here, I am eligible to get grant from CSN, but by itself it is not enough. So, I get another loan to provide my living here. In the school, they told me that they can offer me job opportunity when I am done with my studies but it is not guaranteed. I know that I still have to look for a job. I can find a job after I finish my studies according to my skills and knowledge, but I also want to continue studying. I have always wanted to be a psychotherapist. I think after I am done with this school and get a job, I can try to study to realize my dream job' (Layla).

Contrasting to some of the interviewees' high hopes about the future and job possibilities that they are going to find, Kadir gives information about the hardship of finding jobs. However, it is not only related to requests of the Swedish job markets, as learning the language, but also with the global pandemic and how it makes everyone's opportunities to find jobs reduced. As he puts:

'I have worked a few times, usually in summer. After my graduation from the university last year, I tried to look for a job but there was the pandemic of Covid-19. It was difficult for everyone, I guess. So, I decided to work on my masters until it gets better. I have faced difficulties but I don't think that it was because of my nationality issues. I would say it is generally on me that I haven't gotten a job. My Swedish has never been so good. And if you live in Swedish society you need to speak a bit of Swedish in order to get into a labor market in Sweden. I do speak some Swedish but it is just, I am not very comfortable with it. So, I think the problem is language barrier and it could have happen to every nationality here. For the future, I don't think that I can get a job in Sweden. I speak high-school level of Swedish, it is more than basic. I feel like I have a lot of tools in my skills but I don't think I can translate that into Swedish labor market based on language barriers' (Kadir).

He also shares his experience with the housing, as a person who experienced both ways of getting it – the help of municipality and his own initiatives:

'When I first came to Sweden I was 17, which means I was an unaccompanied minor and this group treated differently in Sweden. I was

treated better than most people at the time because I immediately got a really nice house, that few people of my age lived in. It had everything in it, food and everything was free. Then I reached to 18 soon, after few months, then immediately you were required to live the house and go to a camp out of nowhere. You live there, you have friends there, you have a custom that you are settling in, and then just like that they say you are moving a camp now, sharing a room with three other people that you have never met, and the camp condition was really bad. The situation in the camp was really bad; people were not able to sleep because of the bedbugs, and so on. So, like one day I was living in a really good condition that I would never have been complaining about but the second day I had to move to the camp. Camp period was really bad, as soon as I got my resident permit I had to try finding somewhere else to live. But it is not easy to get a house in Sweden, it is generally the case not for only refugees. Someone reached out to me and said we can find you a place but you have to pay commission. So, it would be a bit sketchy but I was ready to do anything. I paid a lot of money to get an apartment, and that apartment was really in bad condition, it was a basement room, no shower and it had rats in it. It is still frustrating because a lot of people here say you come here for all the free apartment and well-fare. I agree that there are a lot of great things that Sweden offers you, I don't deny that. But also there are a lot of bad things happening along the way. And I feel like my case is actually a good one, everything is working out for me. Things are going good, it is just the process is frustrating to get here' (Kadir).

These various points of views about the material living conditions and how the freedoms provided by the Swedish government perceived by stateless refugees differ from each other, but all of them are about those who could able to prove their identity and to get a permit for being in Sweden in one way or another. Besides all of these, the expert informant, Ali, talks about the ones who were not lucky enough to be able to provide identification document during their interviews. As he puts:

'Those people needed residency and protection; they left their country because their lives were in danger. All the asylum seekers have their own individual immigration court and specific laws are appointed for them. The 7th point in there is about allowance to work. But it is also related with the identity of the person. If they can prove their identity then they can be eligible to work in Sweden and they can't have permission for that. Also, the Afghani embassy in Stockholm didn't help these people. Even if

they were saying that “yes your physical appearance, or your language, or accent can say that you are Afghani but still at least show us your father’s or brother’s, any of your relative’s ID that with the help of these paper we could recognize you”. But they couldn’t do it’ (Ali).

He also brings up the positive sides of the institutional freedoms by those words:

‘Migration Agency gave those young guys an apartment which they can live until their asylum cases process. Even if they got negative decision they could live there without paying rent, or communal expenses. That was very positive. If they wanted to go for appealing in a court they were provided with attorney. They were receiving a little amount of money every month from the agency during their stay. It was about 2000-2500 kr. It is very less if you compare it with the other countries such as Germany, Switzerland’ (Ali).

6.3 Discussion on the barriers for the development

As illustrated above, most stateless people, who reside in Sweden, entered the country in a migratory context, precisely, through asylum processes. Certainly, while their applications for asylum or a residence permit were assessed, their statelessness had not raised special attention, except registering them under the category of stateless, unknown nationality, or nationality under investigation. Moreover, ‘from the consultations held with national and non-governmental stakeholders, there appears to be limited awareness about the issue of statelessness generally, and the situation of stateless persons in Sweden and their rights under the 1954 and 1961 Conventions, specifically’ (UNHCR, 2016, p.29).

Sweden has signed the 1961 Convention that aims to prevent the statelessness and reduce it over time by establishing safeguards in national laws to ensure the right of nationality for every person, both at birth and later in life⁸. However, instead of easing the process of getting nationality in the country, it seems like

⁸ <https://www.unhcr.org/un-conventions-on-statelessness.html>

Sweden increases the barriers for some refugees by taking bureaucratic measures. According to Tucker (2018a), some stateless refugees originated from specific countries are facing the limitations of proving their statelessness as a result of some restrictions by SMA to the documents issued by particular states. This inability of proving the holder's identity includes the documents issued by the authority of Afghanistan, Iraq, Somalia, Eritrea and stateless Palestinians⁹. 'All of these are countries or authorities with known stateless populations or with nationality law, or the implementation thereof, which sees the creation and perpetuation of statelessness' (Tucker, 2018a, p.26). The expert interviewee explains the experiences of the stateless refugees, that are belong to the mentioned group, with the hardship of proving their identification:

'Then the agency gave them a notice about going back to Afghanistan, and everyone knows how the situation is in that country. They even didn't have any job or any relative there to go back to. But migration agency works according to laws, and they couldn't care about the situation there. So, they were trying to deport people to their home-country. But the interesting thing is if you can't prove that you are Afghani why they were asked to be deported to Afghanistan? If they can't provide an Afghani ID, why did they want to deport them to Afghanistan?' (Ali)

Proving identity is also related to another bureaucratic barrier for the development of stateless refugees, which has been brought up during the interviews. Moreover, it includes the waiting time for the naturalization - acceptance of citizenship. According to Section 11 of the Act on Swedish Citizenship (2006), every 18 years old person can be granted Swedish nationality on the application if they are eligible for the following requirements: if the person can prove their identity, if the person has been lawfully and habitually residing in Sweden by only obtaining a permanent residence permit, if the time of residence has been four years - for refugees and stateless persons, or five years – for other aliens; if the person has conducted themselves well. The exception from the

⁹ <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/Citizenship-for-adults/Proven-identity/Migration-Agency-assessment-of-identity-documents.html#StatelessPalestinians>

identity requirement includes providing information about the credibility of the identity after living in Sweden for at least eight years and lack of the opportunity to obtain acceptable identification documents¹⁰. According to Bernitz (2013), the credibility of the identification is applicable in the case of an uninterrupted period of eight years and holding the same identity throughout this time. Thus any case of incorrect or changed identity will not be counted in the period of residence. Given the decision about their identity cannot be appealed by the stateless refugees, this could cause the prolongation of the statelessness situation as a result of incorrect assessment by SMA (Tucker, 2018a). Moreover, the four years waiting time for those who can provide the required documents are still subject to be prolonged depending on the case worker's burden of tasks, and this has been another inconvenience for the stateless refugees. As Abbas shares:

'In the law it is mentioned that when we (stateless refugees) live here for 4 years, we can apply for the citizenship. But when we apply for that it takes about 3 years extra to wait depending on their work load, or how many cases they have to deal with. We could also ask them to minimize the time, but it doesn't change anything. These extra years are not demonstrated in the law, and this is very inconvenient for us' (Abbas).

6.4 Concluding remarks

As mentioned in the above sections, the freedoms provided by the Swedish government contribute to the newcomers' capability development accepted differently by the people who were in the targeted group. When it comes to material living conditions the common point could be illustrated by the words of Ahmed:

'My life is not perfect but it is going good' (Ahmed).

¹⁰ <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/Citizenship-for-adults/Proven-identity.html>

However, in some cases, the integration programmes are not considered enough. They are even accepted as restrictive towards the opportunities, instead of enabling. In particular, for some to diminish the language barriers has been a challenge. As Ali explains:

'It was very hard to those people to reach the level of Swedish that companies want. For example, some of them had an engineering education but in the Swedish company they were asked as a Swedish engineer to be fluent in Swedish that is also used in engineering area. Daily Swedish talking is also something but if you are working in specific area you should be familiar with that field's words and expressions in Swedish which was a huge problem for them' (Ali).

Here, it is important to mention the New Migration Bill that introduced by Swedish government on April 2021, and submitted to parliament on the 29th of April after going through the government bill checking body¹¹. Given that it is planned to come into force after getting accepted by the parliament, according to the new requirements, not only refugees will be given temporary three-year residence permit, instead of permanent ones as it was a norm until 2016, but also in order to apply for the permanent residence permit after this three-year period the person should have sufficient Swedish language and civic skills¹². As mentioned before, restrictions on refugees being granted a permanent residence permit, which is one of the requirements to get citizenship later, came into force in 2016 with the introduction of the Temporary Asylum Law. However, it has been argued that if the Temporary Asylum Laws are not managed carefully and with awareness about stateless refugees also being part of it, prolonged or indefinite stateless situation could be the unwanted result (Tucker, 2018a). Moreover, not only these kinds of bureaucratic acts and hardship to get citizenship are accepted

¹¹ https://www.thelocal.se/20210420/swedens-migration-bill-ready-to-be-put-to-parliament-after-legal-scrutiny/?utm_source=piano&utm_medium=email&utm_campaign=213&tpcc=newsletter_members&pnespid=gORn9eZKX1aNhHHt2vCBm9Hti2bSrIHcSctqyA

¹² https://www.thelocal.se/20210408/swedish-government-pushes-ahead-with-new-migration-bill/?utm_source=dlvr.it&utm_medium=twitter

as a challenge by stateless persons but also the level of acceptance in the society is under question. As Kadir puts:

'The citizenship took much longer than it supposed to, far longer than it supposed to. I had to go to court and sending the application twice and talk to them million times, so definitely took longer time than it supposed to. But the biggest barrier that I have in Sweden is that I don't feel like I would be accepted here. There is a certain limit you can reach and it is as far as you can go to be Swede. Even if I got my citizenship and now I am officially Swedish, I don't feel like that matters. Because there is always a limit that how much of a Swede you are, you eventually asked where you are originally from and you are not going to be treated as Swede. So, there is some sort of a barrier that I will never be just another Sweden, or I will never be just another one of them' (Kadir).

7. Conclusion

In this thesis, I used Capability Approach as the theoretical framework and the applied semi-structured interviews, together with the discourse analysis, to examine development barriers that the stateless refugees encounter in one of the Global North welfare states – Sweden. The case of Sweden gives us a possibility to overview the issues of the given category of refugees, in one of the most welcoming European countries for refugees. It provides some indication, that if in Sweden they encounter important challenges, they are likely to even more daunting in other countries, with a less welcoming approach to stateless people. Furthermore, this thesis also discusses several issues that constitute possible limitations to the development of this specific category of refugees.

Firstly, on the one hand, it is made clear that the gaps in the determination procedure of the stateless status in national laws, the uncertainty in the categorization mechanisms account for the establishment of certain complications regarding their situation. On the other hand, some indisputable measures that have been taken by the government, for instance, adding a clear list of countries among the ones that have questionable authorities to issue identification documents, attempts to overcome some of the gaps in national laws. However, official validation of determined measures is not accepted in a similar way by those who are prone to this settled system.

Secondly, the gap in the identification determination procedure is followed by the increased hardship of getting acceptance to citizenship. While naturalization necessitates a longer time for stateless refugees facing difficulties to prove their identities and is more demanding in return for the potential positive decision, others who do not go through the same process are subject to wait for four years. However, due to the number of applications and the amount of migration agents' workload, the determined time can take longer and create inconvenience for the waiting worried people. Moreover, all the above mentioned is not in complement with the obligations that Sweden obtains according to the international agreements

on the rights of stateless refugees. In addition, the new migration bill introduced by the government in recent months offers to make the changes of the Temporary Asylum Law accepted in 2016 permanent. Thus not only refugees will be able to get three years of temporary residence permits instead of permanent ones but also in order to get a permanent permit after these three years, new demands will be expected to get answered. If it is accepted, the new migration bill is likely to create even more obstacles to the international goal of ending statelessness or can prolong the time to naturalization in the best case

Lastly, this thesis investigated the opportunities, or in other words institutional freedoms, that are established for stateless refugees to provide their material living conditions by analyzing integration programmes in Sweden, and studied the experiences of the given category of refugees to illuminate their possible deprivations. While housing conditions, together with the minor problems for some, are considered “not perfect but good”, mostly due to the fact that the participants of this research solved their housing problem by their individual initiatives instead of relying on the appointed bodies - municipalities for the task, being provided with opportunities to find a job is a more complicated issue. It is partly due to the unfortunate pandemic situation in the country, and generally, in the globe, that brings everyone’s chances to get employed to halt, and partly due to the disadvantageous language barriers that reduce peoples’ prospect to find the job that corresponds to their capabilities.

To conclude, this thesis aimed to explore the material living conditions of the given category of people to define the limitations to their well-being, it was made clear by the participants of this research that while the economic or material living conditions are important to provide their living, the other pillars of the well-being; the quality of life and sustainability, also play essential roles in their development. Therefore, considering the rising but still limited amount of studies on the topic, future research should examine more carefully the economic dimensions of the barriers to progress into such elements of well-being as health status, work-life balance, education and skills, social connections, civic engagement and

governance, personal security and life satisfaction, environmental quality, and the prospect of all of these.

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Appendix

Questions for the interviews were subject to change depending on the interviewee. However, before the interviews, these questions were determined:

1. How was their experience with the migration agency in Sweden?
2. How is their housing condition?
3. How do they provide their income? Is it enough?
4. Have they faced difficulties in getting a job or entering the labor market in Sweden?
5. If they have found a job, can they describe the procedures they have been through in the application period? Have they gotten any help (from any organization, the government, or a person)
6. Do they think that the jobs they have found correspond to their capabilities? If they haven't found employment, do they think that it is possible to find one that would correspond to their skills?
7. Do they think of any other barriers to their development? (political, social, health-care, and so on.)

Three out of five interviews happened with the help of online video communication platform. All of the interviews were in English. The first online interview was with Abbas, 46 years-old guy. The interview was conducted for 15 minutes. Another online interview with Kadir was about 20 minutes long. The last online interview was with former Afghan refugee representative and an expert informant in this thesis, Ali. The interview lasted approximately 35 minutes. Face-to-face interviews with Layla and Ahmed lasted, respectively around 20 and 15 minutes. These two interview happened in the student residency that the interviewees living.