

EMN Policy Report 2011

Sweden



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EXECUTIVE SUMMARY

This report aims to outline the significant developments in the area of migration and asylum, to document the impact of European policy developments at a national level and comment on relevant public debates.

No major changes were made to the Swedish immigration and asylum legislation in 2011, however Sweden's centre-right Alliance government and the Green Party reached a broad agreement on immigration policies. The framework agreement covers the entire electoral period and means that the minority government enjoys majority support for the migration policy. Among other things it includes the issues of schooling and health and medical care for those without permits.

New rules for labour immigration to Sweden entered into force in December 2008 making it easier for people to come to Sweden to work and for companies to recruit labour from outside Europe. The reform has worked well for the most part according to a report from OECD that was issued in December 2011. The new migration policy, now one of the most open in the OECD, has helped businesses hire foreign workers quickly and cheaply, without hurting conditions for local workers. The new system has not led to a boom in labour migration, although this result may be related to the slack labour market. OECD identified some vulnerabilities in the system which could be addressed, especially in monitoring workplaces not covered by collective bargaining, and marginal businesses. Following reports of abuse of the system the Swedish Migration Board have taken measures to protect employees and counteract abuse by issuing stricter guidelines. Some low-skill business sectors are subject to additional controls while the application process is facilitated for certified companies that meet eligibility requirements. The public debate has focused both on the advantages of the new liberal policy and the need to monitor wages and conditions after the arrival of the employee.

As a result of the uprisings occurring in the Arab speaking world, a great number of people fled their countries requiring readiness in Europe to support those in need of protection. Sweden followed the development in countries affected by the Arab spring closely. Since the uprising began deportations to Gaza, Yemen, Libya and Syria have been suspended due to the situation. The general halt of deportations to Yemen was revoked in February 2012.

As a response to the refugee crisis triggered by the uprising and subsequent violence in Libya in early 2011, the UNHCR appealed to the international community to increase their refugee

quotas and bring forward actions already planned. Sweden was one of the countries that responded to the plea offering resettlement places in May 2011. The Horn of Africa region continued to be a major focus for resettlement missions in 2011. A total of 1 900 people were helped out of refugee situations.

The number of asylum seekers in Sweden was 29 648 in 2011, a 7 percent drop compared to 2010. Most asylum seekers came from Afghanistan followed by Somalia and Serbia.

An important objective for the Government is to shorten the waiting time for asylum seekers. The Swedish Migration Board has continued to carry out successful development work in order to achieve this. A new method of processing asylum applications is now implemented in all stages of first instance asylum processing. Since the new method was first introduced there has been a significant drop in processing time. 47 per cent of all asylum seekers obtained their decisions within three months in 2011. Simultaneously, a comprehensive effort is being made to develop and improve management efficiency, for example through e-administration. In 2011 online application for family members were launched in addition to a number of already existing online services.

A new reform, with the aim to speed up the integration process for newly arrived immigrants came into force on December 1, 2010. The reform was billed as the most significant change to Swedish integration policy for many years, and the implementation has been closely followed. The outcome so far has been an issue for public debate and some needs of adjustment have been recognized. A lack of housing in areas where jobs are available is one hurdle for the newly arrived immigrants as they try to settle in and find employment as quickly as possible.

The return process for failed asylum seekers is another area where efforts are being made to improve the effectiveness and fairness of the asylum system at the end. Since a large number of refused asylum seekers remain in Sweden the issue of returns continues to be high on the agenda for the Government. The authorities responsible for managing returns continue to make efforts to further improve their ability to effect a swift, safe and sustainable return for those who have had a fair hearing and have been denied sanctuary. In 2011, some 9 700 persons returned voluntarily with the support of the Swedish Migration Board. An additional 9 500 persons were deported by the police.

The annual number of unaccompanied children seeking asylum in Sweden continues to increase and reached 2 657 in 2011. Afghan and Somali nationals are the most frequent nationals in the figures. The Swedish municipalities are responsible for the reception of these

children but due to the continued increase in numbers there is a prevailing shortage of housing available in the municipalities. The situation has continued to be an issue of concern and public debate in the past years. A number of measures aimed at improving reception have been initiated. Some argue that municipalities should be obliged by law to provide places for unaccompanied children. An investigation regarding this issue was submitted to the Ministry of Justice in 2011. As of January 2011, the county administrative boards has been given the task of negotiating with municipalities and other stakeholders on the reception of unaccompanied minors.

Following the Commission's Action Plan on Unaccompanied Minors launched in May 2010, the Swedish Migration Board has initiated a project dealing with a humane and orderly return of unaccompanied minors, the "European Return Platform for Unaccompanied Minors" (ERPUM). The project will provide a basis for direct cooperation between a number of EU Member States (and Norway) and authorities in third countries.

During the year 42 133 family members filed first-time applications. 56 per cent of the applications were granted. The low approval rate is reflecting stricter requirements relating to proven identity articulated by the Migration Court of Appeal in a number of rulings that provide guidance for decisions in similar matters. The requirements have made it impossible for Somalis to reunite with family members in Sweden due to the fact that they are unable to obtain recognized identity documents. In a ruling dated 18 January 2012, the Migration Court of Appeal made a new assessment making it easier for families with children to be reunited in Sweden. Following the new ruling, children and parents who cannot prove their identity with a valid passport can still receive a residence permit if it can be proven through a DNA analysis that the child and the parent are related. The new guidelines are foreseen to trigger thousands of applications from Somali nationals wishing to reunite with families in Sweden during 2012.

Sweden has a long tradition of free higher education. Until 2011, higher education was free of charge even for third country nationals coming to Sweden to study. But as of the autumn semester 2011, students from outside the EU and EEA-area are obliged to pay for higher education in Sweden. The government argued that Swedish higher education institutions must compete for attracting foreign students on the basis of high quality and good study environments, not on the basis of a free education. The introduction of tuition fees resulted in a 52 per cent drop in the number of third country national students granted a residence permit for studies.

Sweden has actively taken part in the evaluation of the Global Approach that was conducted during 2011 and has in general welcomed the Commission Communication that followed the evaluation. In July 2009, the Swedish government appointed an independent Parliamentary Committee to examine the connection between circular migration and development. The final report was presented on 31 March 2011 and contains a number of proposals in several policy areas aimed at facilitating circular migration and promoting its positive effects on development.

1 INTRODUCTION: PURPOSE AND METHODOLOGY FOLLOWED

In accordance with Article 9(1) of Council Decision 2008/381/EC establishing the EMN, each EMN NCP is required to provide every year a report describing the migration and asylum situation in the Member State, which shall include policy developments and statistical data. The EMN Annual Policy Report 2011 shall contribute to the report to be prepared by the Commission and presented to the Council in June 2012.

The EMN's policy report continues to provide an insight into the most significant political and legislative (including EU) developments, as well as public debates, in the area of migration and asylum. In order to meet the requirements of the *méthode de suivi*, the format of the Annual Policy Report has been adapted, to enable reporting on “general” EU and national developments in the Member States in the main body of the report, and specific reporting on the commitments of both the Pact and in the Stockholm Programme in a separate Annex. This will facilitate the production of the Commission's Annual Report, as well as the production of more coherent and user-friendly National Reports.

The EMN Annual Policy Report 2011 covers the period 1st January 2011 to 31st December 2011. It is the eighth in a series of such reports.

1.1 Methodology

This policy report has been drawn up in a process of close collaboration between the Swedish Migration Board, the Ministry of Justice, and the Ministry of Employment. Within the Migration Board, different divisions have contributed expertise relating to their respective area. The report is based on internally produced statistics and other data, and also on the fund of knowledge represented by the organisations involved. The editorial team has also reviewed official documents, such as government enquiries and reports, and followed media reporting on migration issues.

1.2 Terms and Definitions

As far as possible, the terminology and definitions used in this report correspond to the EMN Glossary.¹ Abbreviations and terms that cannot be expected to be commonly known are explained, either in the main text body or in footnotes.

2 GENERAL STRUCTURE OF POLITICAL AND LEGAL SYSTEM IN SWEDEN

2.1 General structure of the political system and institutional context

The Government sets out the general guidelines for migration policy by proposing bills. It is the responsibility of the *Riksdag* (Swedish Parliament) to pass or reject proposed bills and amendments. The Swedish Government also supplements the laws with ordinances. The Ministry of Justice is the Government body responsible for migration policy.

The Swedish Migration Board and the Swedish Police report to the Ministry of Justice and there is considerable cooperation at various levels between the ministries and the authorities. However, the authorities are formally subordinated the Government as a whole and not the Ministry of Justice.

The Swedish system is based on independent administrative authorities. No public authority or minister may determine how an administrative authority is to decide in a particular case involving the exercise of public authority vis-à-vis a private subject or a local authority, or the application of law.

The Swedish Migration Board is the responsible administrative agency within the area of migration – for issues concerning residence permits, work permits, visas, reception of asylum seekers, return, citizenship and repatriation. Also active in the area of migration are the migration courts, the Migration Court of Appeal, the police authorities, the Swedish Prison and Probation Service and Swedish diplomatic missions abroad. In addition, the County Administrative Boards negotiate with the municipalities on the reception of individuals in need of protection and other aliens.

Legal provisions pertaining to the Swedish Migration Board are found primarily in the Aliens Act, Aliens Ordinance and the Ordinance with Instructions for the Swedish Migration Board.

¹ European Commission Directorate-General for Home Affairs (2012) : [European Migration Network Asylum and Migration Glossary 2.0](#), Brussels.

The Government also manages the Swedish Migration Board by means of annual budget appropriation directives that specify the operational budget and objectives.

The Swedish Migration Board has the main responsibility for the reception of asylum seekers, from the date on which an application for asylum has been submitted until the person has been received by a municipality after being granted a residence permit or has left the country, if notified that the application has been rejected. This applies on the condition that the person does not go into hiding to avoid enforcement of a refusal-of-entry or expulsion order.

The Swedish Police is the main responsible authority in Sweden for border control (Aliens Act 2005:716). The Swedish Customs and the Swedish Coast Guard are required to assist the police in the control of third country nationals entry and exit and the Swedish Coast Guard shall control the vessel traffic at sea borders. According to the instruction for the Swedish National Police Board (1989:773), the Board is the national contact point for the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex).

The Ministry of Employment was during 2011 responsible for integration policy.²

2.2 General structure of the legal system

The migration system in Sweden is governed by the Aliens Act (*Utlänningslagen*, Statute 2005:716), which was enacted by the Parliament, and emanating from that law, the Aliens' Ordinance (*Utlänningsförrordningen*, Statute 2006:97), which is decided by the Swedish Government. The current Aliens Act took effect on 31 March 2006. The Administrative Judicial Procedure Act (Statute 1971:291) also governs with regard to appeals. The Administrative Procedure Act (Statute 1986:223) contains certain general statutes that govern all administrative agencies.

The Swedish migration system and asylum procedures are also regulated by the Reception of Asylum Seekers and Others Act (Statute 1994:137) and the Reception of Asylum Seekers and Others Ordinance (Statute 1994:361).

The border control is governed by the Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code).

² For further and more detailed information please see the 2008 EMN study “The Organisation of Asylum and Migration Policies in Sweden”.

The agencies with mandates in this area are the Swedish Migration Board, the Migration Courts, the Migration Court of Appeal, the Swedish Police, the Swedish Customs, Swedish Public Employment Service, the Swedish Coast Guard, the Prison and Probation Service (Transport Service), Swedish missions abroad, and the County Administrative Boards. Municipalities and County Councils also participate in activities related to asylum, migration, border control and free movement.

The Swedish Migration Board and the Courts independently examine and handle applications for asylum and all other applications related to immigration. Thus, many public agencies are involved in the migration process, which encompasses all activities from the time an application for a residence permit is lodged until settlement or return.³

3 GENERAL DEVELOPMENTS RELEVANT TO ASYLUM AND MIGRATION

3.1 General political developments

The centre-right coalition that had formed a minority government after the last parliamentary elections in Sweden in September 2010 continued in office throughout 2011. As such, no major changes to the setup of the Swedish government or its policy priorities in the field of immigration and asylum occurred in 2011. Tobias Billström, from the Moderate Party, has continued as Minister for Migration and Asylum Policy. Similarly, Beatrice Ask, also from the Moderate Party, has remained in the position of Minister for Justice. Responsibility for migration and border control issues lies with the Ministry of Justice.

On 1 January 2011, the decision of the centre-right government to dissolve the former Ministry of Integration and Gender Equality took effect. Responsibility for integration issues has been transferred to the Ministry of Employment. The minister with responsibility for these issues is the Minister for Integration, currently Erik Ullenhag from the Liberal Party.

³ For further and more detailed information please see the 2008 EMN study “The Organisation of Asylum and Migration Policies in Sweden”.

3.2 Main policy and/or legislative debates

Main legislative debates

In 2011 there were no major changes made to the Swedish immigration and asylum legislation, however some new rules and procedures were applied concerning labour immigration. There had been reports in the past year about immigrant workers being taken advantage of. Criticism had been raised from both politicians and media about unintended effects of the labour immigration law that had been introduced in 2008.

For example, in April 2011, the Swedish Migration Board enforced stricter regulations for the 2011 berry picking season. During the summer months, considerable numbers of foreign workers come to Sweden on a temporary basis to pick wild berries such as lingonberries, blueberries and cloudberries. The purpose of the tightened rules was to further protect the berry picker's rights and clarify certain responsibilities for employers. The new regulations required that employers, in cases where berry pickers were hired by a foreign company, must have a subsidiary that is registered in Sweden. In addition, companies that employed berry pickers had to prove they could ensure that the salaries could be paid even during a poor berry season. In 2011, the Swedish Migration Board granted some 2 400 applications, which equals to around half of all of incoming work permit applications for berry pickers. The number of applicants was lower than in previous years.

The Swedish Migration Board also imposed new guidelines, which entailed that certain types of businesses (e.g. cleaning, service and newly founded companies) must show in connection with a work permit application that the payment of wages is guaranteed for the time the offer of employment is valid. If an employee is hired by a foreign business (outside the EU), the company must have a branch office registered in Sweden. These new guidelines took effect in January 2012.

In spring 2011, a Swedish Parliamentary committee presented a comprehensive report on circular migration. The final report contains both proposals for legislative changes and other recommendations aimed at facilitating increased back-and-forth mobility between Sweden and the countries of origin for the migrants, in order to promote positive development effects. The report was submitted to concerned stakeholders for considerations and comments, and the proposals are now being reviewed within the governmental offices, see section 9.2 for more detail.

A Government investigation regarding the asylum legislation concerning persons that suffer from “particularly distressing circumstances” was finalized in the spring. The investigation has played an important role in the Swedish asylum legislation and it will continue to have importance in the future political discourse. The results showed that the Swedish Migration Board, in certain cases, has been more generous in its assessment than what the legislation states. The legal term “particularly distressing circumstances” was introduced in 2006. It can be considered a form of protection on humanitarian grounds. It refers to cases in which an asylum seeker can be granted a residence permit even though there is no need of protection on the basis of the situation in his or her country of origin.

Main policy debates

In 2011 there was a shortage of places for asylum seeking unaccompanied children in Sweden’s municipalities. As the number of unaccompanied children, who sought asylum continued to increase, The Swedish Migration Board advised municipalities to make more places available. The Migration Board and the County Governor of Västra Götaland, Lars Bäckström, wrote a joint letter to Sweden’s arrival municipalities and counties urging them to provide more places. In 2011, 2 657 unaccompanied children applied for asylum in Sweden. During 2011, the continuing shortage of places for these children has resulted in many debates both in the media and among politicians. It was debated, among other issues, whether municipalities should be obliged by law to provide places for unaccompanied children. The current system is voluntary; municipalities decide themselves whether they wish to accommodate unaccompanied minors, and how many. An investigation regarding this issue has been submitted to the Ministry of Justice.

In the spring, the Swedish Migration Board published material with information directed towards asylum seeking children and unaccompanied minors. The information explains the asylum system and consists of a webpage for children, pamphlets and a cartoon magazine featuring the famous Swedish cartoon character *Bamse* the bear. Especially the *Bamse* magazine gained a lot of national media attention. By some, it was criticized for being euphemistic. The fact that a popular cartoon character was explaining the asylum process to young children was seen as delicate. However, the information material was well received by teachers, children and psychologists.

Sweden has carefully followed the political changes in countries affected by the Arab spring. In 2011, the Swedish Migration Board decided to suspend deportations to Gaza, Yemen and

Libya and has also monitored the escalating violence in Syria. In its latest legal assessment of December 2011 regarding Syria, the Migration Board determined that violence there was escalating, but that the situation could not be categorized as an armed conflict. Violent clashes were occurring in Syria and the Board was paying attention to cases of harassment and other serious abuse, but this did not constitute sufficient grounds for granting protection on the basis of the refugee section or the torture provision of the Aliens Act on a general basis unless there was an individual need for protection.

The media discourse about migration policy has been dominated by reporting on individual cases. One case that received much attention in local, national and international media was the 91-year old woman “Ganna” from Ukraine. Ganna had medical complications and faced removal though all her remaining family lived in Sweden. In 1997, the Swedish Parliament had removed the possibility for seniors, without any remaining family in their country of origin to receive a residence permit based on close family ties in Sweden. On the same day that Ganna was to be removed to Ukraine, the European Court of Human Rights suspended the expulsion and is currently assessing the case.

Another important media debate was the increasingly difficult situation for political activists both in and outside Iran. In 2011, groups of Iranian asylum seekers who had their asylum applications rejected were hunger striking in various Swedish cities. The Swedish Migration Board met with the protesters and continued to have open communication with them regarding their cases and the asylum process. In November, the Migration Board established new guidance on how the risk of persecution should be evaluated for asylum seeking Iranians, who have been politically active outside Iran.

The UNHCR has in cooperation with the Swedish Migration Board for the past two years investigated and analysed the quality of the Migration Board’s asylum examination practice. The main objective was to analyse the application of the Geneva Refugee Convention and subsidiary protection regulations in Swedish law, and to give recommendations on how the quality of the asylum examination process could be further developed. The results showed that Sweden’s asylum system was one of the best in the world. However, the UNCHR also identified a need to improve the quality standards pertaining to legal representatives, cf. section 7.2 of this report. The UNHCR has conducted similar studies in other European countries. The project was mainly funded by the European Refugee Fund.

3.3 Broader developments in asylum and migration

As far as overall migration immigration trends are concerned, an increase in immigration for employment purposes was noted in 2011, compared to the previous year. The number of third country nationals who were granted a residence permit for family reasons decreased slightly, as did the number of asylum seekers.⁴ The number of third country nationals immigrating for education purposes (e.g. university studies) fell sharply, which is most certainly to be attributed to the introduction of tuition fees within the Swedish higher education system in 2011. The overall trend for all patterns of immigration to Sweden in 2011 was a slight decrease by about 2.4% compared to the year 2010. While approximately 99 000 persons had immigrated to Sweden in 2010, this figure was about 96 500 in 2011. Swedish nationals were the by far largest nationality group immigrating in 2011, followed by nationals of Iraq, Poland, Afghanistan and Denmark.

As far as migration for family reasons is concerned, in May 2011, the Migration Court of Appeal determined that proof of identity was required in order to be granted a residence permit when an application is made before travelling to Sweden. The judgment related to all nationalities, but had a great impact particularly on Somali citizens. As Sweden does not accept any Somali identity documents issued after 1991 anymore, it has become difficult for a Somali citizen abroad to obtain a residence permit based on family ties. It was broadly assumed that the identity proof requirement would not only have an impact on family reunification, but also affect the number of new asylum applications lodged by persons from Somalia. The problem has been acknowledged by politicians in Sweden. The migration policy agreement between the government and the Green Party of 3 March 2011 stated that the parties shall find a solution to the "problems with the requirement for a passport and proof of identity in family reunification cases".

3.4 Institutional developments

On 1 January 2011, the decision of the government to dissolve the former Ministry of Integration and Gender Equality took effect. Responsibility for integration issues was transferred to the Ministry of Employment.

⁴ Within the group of asylum seekers, however, the number of unaccompanied minors continued to increase compared to previous years.

4 LEGAL IMMIGRATION AND INTEGRATION

4.1 Economic migration

4.1.1 Specific context

Since December 2008, when new rules on labour immigration came into force, Sweden has had a comparatively liberal and demand-driven approach to immigration of third country nationals for employment purposes. The legislation was previously much more restrictive. With the coming into force of the 2008 reform package, the agency-based labour market test was phased out. The overall point of departure is now that it is the individual employer who best knows the recruitment needs of his or her business. Under the new legislation, the possibility to recruit foreign workers has been significantly facilitated. Provided that the working conditions are in line with Swedish collective agreements or practice the employer can now recruit anyone, regardless of nationality or profession. The rules also provide opportunities for migrants to get a permanent residence status after four years of stay in Sweden.

Since the new rules have entered into force, the number of applications for residence permits for employment purposes has gradually increased. In 2009, the Swedish Migration Board received 24 363 applications. In 2010, some 26 672 applications were received. In 2011, this number was 35 312, which means an increase by 32% compared to the year 2010. 25 309 applications were granted.⁵

4.1.2 Developments within the national perspective

In the course of the year 2011, there have been occasional criticisms of the relatively liberal labour immigration policy, suggesting that it would lead to cases of abuse, as for example fake employment or exploitation of foreign workers. As one particularly prominent example, the wild-berry picking business in Sweden has been a subject of debate for several years, especially with regard to the responsibilities and the monitoring of companies using workforce from third-countries via staffing agencies based abroad. During the spring of 2011, the Swedish Migration Board amended their guidelines regarding work permits for people outside of the EU who want to come to Sweden to pick berries. Companies that recruit berry pickers now have to prove that they are capable of guaranteeing their employees' salaries

⁵ The figures given here on applications include applications for a residence permit of workers from third countries for employment or as self-employed persons, guest researchers or persons taking part in international personnel exchange (intra-corporate transferees). Even family members of workers, guest-workers and self-employed persons are included.

even when the supply of berries is poor. Furthermore, these companies have to show that the picking work is properly organised, for example concerning transportation, food and accommodation and that the berry pickers receive information about the nature of the work and the offered terms of employment. As a result of these changes, the number of berry pickers from countries outside of the EU further declined significantly in 2011.

Apart from the berry-picking sector, the Swedish Migration Board decided in November 2011 to also implement stricter guidelines for other business sectors that were considered to be overrepresented in terms of exploiting foreign workers and abuse of the rules, such as the cleaning and housekeeping sector and catering and hotel businesses, among others.⁶

Even though the number of berry pickers has decreased, the occupational group *labourers in agriculture, forestry and fishery* (2 821) continued to represent the largest groups in 2011, closely followed by the occupational groups *computer specialists* (2 795), and *Catering and restaurant staff* (1 323).

Table 1: Number and proportion of permits granted to workers from abroad in 2011 (five largest employment categories)

Employment category	Number	%
Labourers in agriculture, horticulture, forestry and fishery	2 821	19
Computer specialists	2 795	19
Catering and restaurant staff	1 323	9
Catering and restaurant assistants	796	5,5
Cleaners	798	5,5
Others	6 189	42
Total	14 722	100

Source: Swedish Migration Board

The most common nationality groups engaging in labour market-related migration were Thailand (2842) India (2292), and China (1 180), see Table 2.

⁶ Migrationsverket (2012): Årsredovisning 2011 (Annual Report 2011 of the Swedish Migration Board), p.55.

Table 2: Number and proportion of permits granted to workers from abroad in 2011 (five largest countries of origin)

Country of origin	Number	%
Thailand	2 842	19
India	2 292	16
China	1 180	8
Turkey	758	5
Ukraine	572	4
Others	7 078	48
Total	14 722	100

Source: Swedish Migration Board

In line with the main objective of the labour immigration policy reform of 2008, which was to create an efficient and flexible system for labour immigration, the Swedish Migration Board moves towards a greater emphasis on the electronic processing of applications. In 2011, certain groups of labour migrants could already apply for residence permits electronically. In order to increase the proportion of applications received electronically, the Swedish Migration Board promises a faster decision on applications received electronically compared to paper applications.

In November 2011, the OECD published the report “Recruiting Immigrant Workers: Sweden”. This review of Sweden’s labour migration policy was the first of a series of country-specific reports to be conducted by the OECD Secretariat as a follow-up to the 2009 High-Level Policy Forum on International Migration. The report concludes that Sweden appeared to have the most open labour migration system among OECD countries. Despite this, there had been no massive increase in inflows after 2008, when the current system took effect. As potential improvements of the system, the OECD suggests improved “post-arrival verification”. The role of unions in verifying the wages and working conditions of job offers was important, according to the OECD study, but the absence of any follow-up on the offered wages and working conditions could be seen as a weakness of the Swedish system. The organization also concludes that the criteria for both international students and refused asylum seekers to change their status and to stay in Sweden on the basis of a work permit seemed overly restrictive, particularly for graduating students, who must invest time and effort in finding a job before graduation.⁷ Unlike other countries, Swedish legislation does not foresee

⁷ OECD (2011): Recruiting Immigrant Workers: Sweden 2011, OECD Publishing, p. 11-15.

that students can remain in the country after completion of their studies in order to look for a job.

4.1.3 Developments from the EU perspective

Any legislative changes following the transposition of the EU Blue Card Directive⁸ in Sweden are expected to be implemented in 2012. Thus, for 2011, there are no major legal developments to report.

4.2 Family Reunification

4.2.1 Specific context

In Sweden, as in many other EU member states today, immigration on the basis of family ties accounts for a large share of the overall immigration flows. About one quarter of all residence permits granted by Sweden in 2011 was granted for family reasons. The provisions governing the right to immigrate to Sweden on family grounds have not undergone any major changes in recent years, apart from the fact that Sweden introduced a financial support requirement in the Aliens Act as a condition for family reunification in 2010. According to this, the sponsor must have sufficient income to support himself or herself and cover his or her own housing costs.⁹ One particular feature in Sweden is that unmarried partners enjoy the same rights as married couples as far as the granting of a residence permit for family reunification is concerned. An unmarried partner who has lived with the sponsor in the home country, and can prove this, has the same right to family reunification as a spouse.

Persons arriving for the purpose of family reunification have the right to receive language tuition (Swedish for Immigrants), and municipalities may also extend other introduction activities to this group, although they are not obliged to do so.

In 2011, the Swedish Migration Board granted 24 227 first-time applications for family reasons. This means a decrease of 2.0% compared to the previous year, when the number of granted permits was 25 076. In total, the Swedish Migration Board granted 93 134 first-time residence permits in 2011. This means that residence permits for family reasons accounted for 26 % of all permits granted. If one takes into account follow-up applications for family reasons as well, such as extensions of existing permits, immigration for family reasons

⁸ Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment.

⁹ Please see the [Swedish EMN Policy Report 2010](#), p. 14, for details.

amounted to 31 % of all immigration. During the year 42 133 first-time applications invoking family ties were received; as in previous years, the most heavily represented nationalities were Somalians, Iraqis and individuals from Thailand. 56 per cent of applications were granted. As the main rule, an application for a residence permit on grounds of family reunification should be made at a Swedish foreign mission

4.2.2 Developments within the national perspective

One major contributory factor to the low percentage of applications granted was a sharpened requirement relating to passports and proof of identity which the Migration Court of Appeal articulated in a number of decisions.

The passport and proof of identity requirement applies to all nationalities. As a result, most Somali applicants were rejected. Out of approximately 9 000 decisions on family reunification for Somali nationals that were made in 2011, only 43 were approved. It has to be said, however, that from early 2012 onwards, this trend may change fundamentally. In January 2012, the Migration Court of Appeal made a decision in which it points out that it can be sufficient in certain cases to make one's identity credible. Thus, even when there is no definitive proof of identity, an application for family reunification may be granted in many cases in the future.

As another important national development, it can be said that since December 2011, applications for a residence permit for family reasons can be made electronically.

4.2.3 Developments from the EU perspective

In November 2011, the European Commission published a green paper on the right to family reunification of third-country nationals living in the European Union.¹⁰ It aims at initiating a public debate on family reunification with a view to identify any needs for a policy follow-up, as for example an amendment or revision of the Directive. The Swedish Government asked for input from the Migration Board before handing in the Government's reply. The Migration Board welcomed an amendment of the Directive in order to transform some of the optional clauses in the Directive into mandatory clauses, to further ensure immigrants the right to family life.

¹⁰ European Commission (2011): Green Paper on the right to family reunification of third-country nationals living in the European Union (Directive 2003/86/EC), Doc.-No. [COM\(2011\) 735 final](#), Brussels.

4.3 Other legal migration

4.3.1 Specific context

Apart from economic migration and family reunification, the entry and stay of third country national students is an important channel of legal migration to Sweden. Sweden has a long tradition of higher education without tuition fees. Until 2011, higher education was free of charge even for third country nationals coming to Sweden to study.

The number of students applying to move across national borders in order to study has increased throughout the world over the past ten years. The number of students coming to study in Sweden has more than quadrupled between 2000 and 2010.¹¹ The attractiveness of Sweden as a destination for studies has grown particularly in countries outside Europe.

The Swedish government decided in 2010 to introduce tuition fees for students from outside the EU and EEA area. The foundation for the decision was that today, higher education institutions act on a global scale and Swedish universities and colleges should compete on equal terms with universities and colleges in other countries, where tuition fees are standard. Swedish universities and colleges shall compete with high quality and good study environments.

4.3.2 Developments within the national perspective

The introduction of tuition fees as mentioned above took effect in the autumn study term of 2011. The fees apply to students who are not citizens of the EU, EEA or Switzerland. They apply only to bachelor's and master's programs and courses, while PhD programs continue to be free of charge. Universities set their own fees; these vary between SEK 80 000 and SEK 140 000 per academic year for most study subjects. However, programs in the fields of medicine and art have notably higher fees. Moreover, there is an admission fee for the handling of applications. For students who have to pay tuition fees, this administrative fee has been set at SEK 900.

Not unexpectedly, the introduction of tuition fees resulted in fewer third country national students applying for studies in Sweden. In 2011, the Swedish Migration Board granted 6 836 residence permits for study reasons, compared to 14 188 the year before. This corresponds to

¹¹ In 2009, the Swedish Migration Board granted 3 073 residence permits for study purposes. In 2010, a total of 14 188 residence permits for study reasons were granted.

a 51.8% decrease. As in previous years, the most prominent countries of origin of third country national students were China, Pakistan and Iran.

The decreasing number of international students has met both positive and negative reactions from Swedish universities. According to a survey conducted by the Swedish National Agency for Higher Education (*Högskoleverket*), some universities acknowledge that the introduction of tuition fees has had the positive effect of highlighting a need for a more active internationalisation of the higher education system, the implementation of study courses that are attractive to foreign students and enhanced structures for welcoming and introducing foreign students. On the other hand, however, many universities expressed themselves negatively about the reform. One of the main criticisms was that universities had to face new administrative burdens, as they needed to determine the exact fees applicable to each study course, calculate costs and process payments made by third country national students. Several universities also invested more in international recruitment of students and merchandising.¹² Media reports and analyses tended to highlight negative consequences of the introduction of tuition fees.¹³

4.3.3 Developments from the EU perspective

As far as students from third countries are concerned, experts have not only raised the effects of the introduction of tuition fees in 2001, but also difficulties for students to obtain a residence permit card. On the basis of the Council Regulation (EC) No. 380/2008 of 18 April 2008 amending Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals, all EU member states have to issue residence permit cards as of 20 May 2011 at the latest. The cards must contain biometric identifiers (photographs and two finger prints). In order to apply the regulation in Sweden, some adjustments were made to the Aliens' Act.¹⁴ The adjustments mainly aimed at clarifying that persons applying for a residence are required to be photographed and to submit finger prints in order to obtain a residence permit card on which the biometrical data is stored. Sweden foresees that third country nationals must retrieve their residence permit cards before they arrive in Sweden.

These new provisions were partly received with criticism. Universities, in particular, argued that the requirement for applicants to present themselves in person at a Swedish mission abroad in order to meet the biometric requirements (being photographed and having their

¹² Cf. Högskoleverket (2011) : Avgiftsreformen – lärosätenas första erfarenheter, [Rapport 2011 :17 R](#), Stockholm, p. 28f

¹³ See for example [Sverige har förlorat nio av tio utomeuropeiska studenter](#), Dagens Nyheter, 29 November 2011.

¹⁴ Cf. Regeringens proposition [2010/11:123](#), Biometriska kännetecken i uppehållstillståndskort.

fingerprints taken) represented a considerable burden for many prospective students. Especially in countries and regions where Sweden, as a comparatively small EU Member State, did not have any foreign mission (embassy or consulate), prospective students often needed to travel far in order to reach a foreign mission. This sometimes also involved a substantial financial burden for applicants. As a possible means of improving the situation, a closer consular cooperation among EU Member States may be envisaged. Smaller Member States could be represented by others in countries where they do not have a foreign mission.¹⁵

4.4 Integration

4.4.1 Specific context

The goal of integration policy in Sweden is equal rights, obligations and opportunities for all, regardless of ethnic or cultural background. The policy goals are to be achieved mainly through general measures for the whole population. The general measures are supplemented by targeted support for the introduction of newly arrived immigrants during their first years in Sweden.

In September 2008 the Government decided on an overall strategy for integration for the years until 2010. The strategy identifies seven areas that are especially important to work on to achieve the goal. These are:

- Faster introduction for new arrivals
- More in work, more entrepreneurs
- Better results and greater equality in school
- Better language skills and more adult education opportunities
- Effective anti-discrimination measures
- Development of urban districts with extensive social exclusion
- Common basic values in a society characterised by increasing diversity

An overall focus of the strategy is to increase the supply and demand of labour, and to create quality and equality in schools.¹⁶

¹⁵ Cf. Högskoleverket (2011): [Remissvar till Betänkandet \(SOU 2011:28\) cirkulär migration och utveckling – förslag och framåtblick](#), Stockholm, 30 August 2011, p. 4; [Sveriges nya nålsöga](#), Dagens Nyheter, 21 June 2011; [Krav på fingeravtryck slår hårt](#), ERGO, 29 August 2011.

¹⁶ More detailed information on the Swedish government's approach to integration can be found in the fact sheet Regeringskansliet/Government Offices of Sweden: [Swedish integration policy](#), fact sheet, December 2009.

The European Integration Fund supports a number of projects aimed at facilitating intercultural dialogue, for example, projects encouraging interaction between different religious groups in Sweden.

4.4.2 Developments within the national perspective

In May 2011 the Government set up an intra-departmental working group to develop a new national integration strategy. The working group's task is to review current integration policy goals, and where necessary suggest policy measures that facilitate integration, primarily within the field of employment, but also in other areas. The aim is to present a new integration strategy and concrete policy proposals in conjunction with the budget bill in autumn 2012.

On 1 December 2010, the new law on introduction of certain newly arrived immigrants entered into force. During 2011, the Government has followed the implementation of the reform closely through, for example, continuous dialogue with the responsible authorities. The Swedish Agency for Public Management is charged with evaluating how well the different authorities cooperate, and also follow-up to what extent the introduction plans are individual. In addition, the University of Stockholm has been given the task to follow-up the effects of the reform on newly arrived immigrants' opportunities to access the labour market, in particular concerning the situation of migrant women. In November 2011, the Government agreed on the terms for a Government Enquiry on how to increase labour market participation among migrant women and persons who immigrate for family reasons. The Enquiry will report its findings in October 2012.

4.4.3 Developments from the EU perspective

As all of the above-mentioned integration policy orientations and on-going measures are relevant both in a national context and from a European perspective, please see the information provided in section 4.4.2.

4.5 Citizenship and Naturalisation

4.5.1 Specific context

Since 2001 Sweden has had a comparatively liberal law on citizenship based on the principle of the right to nationality based on parentage (*jus sanguinis*). Another important principle is the avoidance of statelessness. In addition to this, there are fairly liberal rules concerning the

acquisition of citizenship by naturalization. Any foreigner resident in Sweden for at least five years, who is of full legal age, possesses a permanent residence permit and has committed no criminal act can apply for Swedish citizenship. Language skills or special knowledge of the state and its social systems are not required. There are exceptions applicable to the minimum residence period of five years: stateless persons or recognised refugees can apply for Swedish citizenship after four years in Sweden. Danish, Finnish, Icelandic and Norwegian nationals can even become Swedish citizens after two years of residence only. Many municipalities today hold celebratory “citizenship ceremonies” for newly naturalised persons on the Swedish national day (6 June). Whereas the earlier Swedish law was based on the principle of the avoidance of multiple citizenship, since 2001 Sweden fully recognises multiple citizenship.¹⁷

4.5.2 Developments within the national perspective

There have been no significant changes with regard to citizenship law or practice in 2011. In 2012, however, public debates can be expected to some degree. In January 2012, the government commissioned an enquiry on certain aspects of citizenship with a view to enhance the significance of Swedish citizenship. Among other issues, the enquiry has the task to propose a definition of the symbolic significance of Swedish citizenship and, when relevant, present proposals for possible amendments to the current legislation. The enquiry shall also respond to the question to what extent cooperation within the European Union impacts on Member States’ legislation and policy concerning citizenship and naturalization, and to how naturalization can work as an incentive for encouraging integration.

The Swedish Migration Board received 34 620 applications for Swedish citizenship in 2011. This meant an increase by 7.6% compared to the number of applications received in 2010 (32 184). The rise in the number of citizenship cases is a result of the increased number of residence permits that were awarded during previous years. The most prevalent nationality group among the citizenship applications in 2011 were Iraqi nationals, who accounted for around 7 000 cases. Of all decisions on citizenship applications made in 2011, 28 889 were positive. This equals to 87%.

In March 2010, the Swedish Migration Board had introduced the possibility apply for Swedish citizenship via the internet. It was the first e-service to be launched by the Migration

¹⁷ For details, please see the Act on Swedish Citizenship (SFS SFS 2001:82 with amendments up to and including SFS 2006:222) in official English translation at <http://www.regeringen.se/content/1/c6/10/57/28/3ddf07b.pdf>.

Boards. In 2011, 48% of all applicants made use of the possibility to apply through the internet. This represents 12% more than in 2010.¹⁸

4.5.3 Developments from the EU perspective

Since citizenship issues do not belong to policy fields in which Member States share competencies with the EU, or which are harmonised or communitarised, there have not been any developments in Sweden that could be relevant from an EU perspective.

5 IRREGULAR IMMIGRATION AND RETURN

5.1 Irregular Immigration

5.1.1 Specific context

The Swedish Government's objective is to secure long-term, sustainable migration policies that maintain the right of asylum and that, within the framework of regulated migration, facilitate mobility across borders. An efficient regime aimed at combatting illegal migration is a precondition to achieve this objective. One basic element is to ensure a well-developed, efficient and reliable system of checks on persons in order to prevent foreign nationals travelling into or staying in Sweden in contravention of the relevant regulations. Checks on persons are carried out both at the EU external borders and within the Swedish territory. Sweden's geographical position, however, means that there are no external land borders. Most irregular migrants who arrive in Sweden have travelled via one or several other member states or by air.¹⁹ Preventing illegal immigration is primarily the subject of the border control authorities. However, within the regular process for handling applications for visas and residence permits, there are measures in place in order to prevent misuse of the system and to avoid the situation of individuals being granted residence permits on false premises. Sweden does not have any regularisation programme for irregular migrants.

5.1.2 Developments within the national perspective

In 2011, there have been no significant changes with regard to national law and practice in the area of irregular immigration.

¹⁸ Migrationsverket (2012): Årsredovisning 2011 (Annual Report 2011 of the Swedish Migration Board), p. 61.

¹⁹ Cf. Swedish Migration Board/EMN (2012): [Practical responses to irregular migration into Sweden](#), a study produced by the European Migration Network (EMN).

5.1.3 Developments from the EU perspective

A Government appointed committee, tasked with examining how the Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (“Sanctions against Employers Directive”) should be transposed into Swedish law, presented its final report on 30 September 2010. Necessary amendments in national legislation have during the year being assessed within the Government.

A number of immigration liaison officers, titled migration experts, have been stationed at the consular departments of Swedish embassies abroad. As from 1 January 2011, these migration experts have been under the authority of the Swedish Migration Board. Migration experts have been placed in Addis Ababa, Bangkok, Beijing, Damascus, Moscow and Skopje. From 1 January 2012, two Migration Experts have started their assignments in New Delhi and Tehran.

5.2 Return

5.2.1 Specific context

In order to ensure the sustainability of the Swedish asylum system, those who, following an examination, are found not to be in need of protection must return to their countries of origin. A rejection of an application for a residence permit is usually accompanied by a refusal-of-entry or expulsion order. People should ideally return on a voluntary basis, with the support of the Swedish Migration Board. In cases where the obligation to return to one’s country of origin is not respected, the police service is responsible for implementing the refusal-of-entry or expulsion order. People must always be returned under humane and dignified conditions.

In order to facilitate return under dignified conditions and to strengthen the incentives for voluntary return, the Swedish Government has introduced economic reestablishment support for people who have received a final decision or withdrawn their application and choose to return voluntarily to a country with very limited opportunities for reestablishment due to severe conflicts. At the moment persons returning to approximately 20 countries are eligible for the support.

5.2.2 Developments within the national perspective

In 2011, some 9 700 persons returned voluntarily to their home countries, or a state participating in the Dublin System, with the support of the Swedish Migration Board. The police returned another 9 500 persons. The countries to which the largest number of people was returned were Serbia, Iraq and Macedonia. 50% of all returnees had a country of the Western Balkan as their destination.

As far as impediments to enforcement of return decisions are concerned, a previous general decision not to enforce returns to Ivory Coast and Gaza was suspended in 2011. On the other hand, due to the uprisings in northern Africa, expulsions have not been possible in practice to countries such as Egypt, Tunisia, Yemen, Syria and Libya. With regard to Yemen, a decision of general impediments to enforcement was taken in March 2011, meaning that no forced returns to Yemen were carried out after that date. (In February 2012, however, the Swedish Migration Board made a new assessment concerning Yemen and revoked the earlier decision not to enforce returns.)

5.2.3 Developments from the EU perspective

The Swedish Government is continuing to prioritise return. Compared to previous years, more funds have been allocated in the national competent authorities' budgets for return related measures. The Swedish Migration Board has been given a renewed task to shorten the time-span between the issuance of return decisions and the enforcement of these decisions. The Government has further requested the Swedish Migration Board, the National Police Board and the Swedish Prison and Probation Service to step up their co-operation in order to achieve a higher degree of enforced return decisions.

The Swedish Migration Board, being the national responsible authority for the implementation of the Return Fund, continues to implement the current multiannual programme 2008-2013, both through the granting of funds to several projects developed by external bodies, as well as to projects implemented by the Board itself.

The possibility for returnees to apply for a reintegration allowance has been extended until 31 December 2012. Persons from around 20 countries or parts of these countries are eligible to receive the allowance. The allowance amounts to 30,000 SEK per adult, 15,000 SEK per child and a maximum of 75,000 SEK (approximately 8 000 Euro) per family. During 2011, almost 1 000 individuals, mainly Iraqi nationals, were granted the allowance.

The Swedish Police continue to use chartered flights in order to carry out returns. Several joint return flights have been organised by the Swedish Police together with other Member States, and in cooperation with Frontex.

On 4 October 2011, Sweden signed a bilateral readmission agreement with Kosovo. The agreement entered into force on 1 January 2012. Sweden took part in all of the EU-agreements that have entered into force.

5.3 Actions against human trafficking

5.3.1 Specific context

The Swedish Government adopted a national Action Plan to combat prostitution and trafficking in human beings for sexual exploitation in July 2008. The action plan covered the period 2008-2010 and included 36 measures. After its expiry on 31 December 2010, a few measures were continued, as for instance the national coordination role, which is performed by the County Administrative Board in Stockholm.

5.3.2 Developments within the national perspective

On 30 November 2011, the Swedish Crime Prevention Council presented an evaluation of the national Action Plan to combat prostitution and trafficking in human beings for sexual exploitation. The evaluation was the key subject of a major, national conference held in Stockholm on 14-15 December 2011. The Action Plan and its subsequent evaluation will now provide a basis for further action.

In the summer of 2010, Sweden faced a problem with berry pickers in the northern parts of Sweden. Around 4 500 citizens of Thailand, a few hundred from Vietnam and EU-citizens from in particular Bulgaria came to Sweden to pick berries. The berry season was poor and the earnings never came close to what was envisaged by the recruiters. In this context, there were reports of suspected trafficking. In order to prevent similar cases in 2011, the Swedish Migration Board applied a more stringent control on work permits for third country nationals. In conjunction with this, better preparedness by the Police, the absence of some less credible companies and a good berry season led to a more acceptable situation compared to the year before. However, two criminal investigations were initiated against Bulgarian citizens and with Bulgarian citizens as victims. In the first case, a Court acquitted the defendants for

trafficking, but convicted them for among other things aggravated assault. The other case was still pending at the time of completion of this report.

In 2011, it became even clearer that Sweden had to face new challenges in addressing trafficking in human beings for the purpose of labour exploitation and for begging and petty crime.

5.3.3 Developments from the EU perspective

Sweden continued to participate actively in EU-fora addressing trafficking. There were, however, no substantially new developments in 2011. An Action Oriented Paper on strengthening the EU external dimension on action against trafficking in human beings,²⁰ which was published in 2009, was evaluated for the first time during 2011. The evaluation provided for a reiteration of some of the commitments made earlier. Apart from this, the EU-agencies involved in anti-trafficking work formulated a strong stance against trafficking at the occasion of the fifth Anti Trafficking Day in Warsaw held on 18 October. At operative level, trafficking in human beings was highlighted as a priority issue in the context of the Policy Cycle of the Permanent Committee on Internal Security. SE strongly supported this. The priority actions identified still have to be implemented.

6 BORDER CONTROL

6.1 Control and surveillance at external borders

6.1.1 Specific context

Checks on persons are carried out both at the EU external borders and in the form of checks of aliens throughout Swedish territory. Sweden's geographical position, however, means that there are, in practice, no external (Schengen) land borders. It is evident that most irregular migrants who arrive in Sweden have travelled via one or several other member states, see also section 5.1.1. In 2010, 153 persons were refused entry at the external borders of Sweden. All of them were refused entry at air borders, that is at an international airport. In 2009 and 2008, this number was 35 and 50, respectively.

²⁰ Council of the European Union (2009): [Action-Oriented Paper on strengthening the EU external dimension on action against trafficking in human beings](#); Towards Global EU Action against Trafficking in Human Beings, Brussels, 19 November 2009.

6.1.2 Developments within the national perspective

The Swedish National Police Board and the Coast Guard produced a joint national strategy and action plan regarding border control, which was confirmed by the National Head of Border Control in April 2011. The document is to serve as a common basis for all border control performed by County Police Authorities throughout Sweden. The document also contains a section regarding border control measures performed by the Coast Guard. The national strategy aims at ensuring a legally secure handling of cases, efficiency, uniformity and sufficient training for personnel involved in border control. Other aims include an enhanced cooperation between different authorities in Sweden and further integration between border control and the intelligence units within the Swedish Police.

6.1.3 Developments from the EU perspective

Concerning the European external border surveillance system “Eurosur”, a study has been performed under the responsibility of the Swedish National Police Board. It resulted in a recommendation to the Government that Sweden should join Eurosur.

Sweden has not introduced electronic border gates (“e-gates”) due to the fact that the passenger flow at Swedish border crossing points is not regarded as being as high enough to justify the introduction of such automated clearance systems. Efficiency improvements or cost-benefits that may be expected from an introduction of e-gates are not assumed to be sufficiently great as to motivate a reduced number of border police officers.

Regarding the Schengen Information System SIS II, a new system with integrated functions for checks against SIS and the Visa Information System VIS has been implemented. The system can also handle the newly introduced electronic residence permit cards and e-passports.²¹ Sweden has followed the schedule set by the Commission for tests against SIS II.

6.2 Cooperation with respect to border control

6.2.1 Specific context

Sweden is continuously active in the development of SIS II, both nationally and at EU level. Sweden recognizes the importance and advantages of visa representation agreements and of other forms of cooperation which aims at ensuring the presence of the Member States in third countries in the most secure, economic, effective and “customer friendly” way, in accordance

²¹ E-passports are passports containing biometric information on a microchip.

with the regulations of the Visa Code and the expectations of the European Parliament. Further, Sweden actively takes part in the on-going border control cooperation (also within Frontex) and related developments at EU-level.

6.2.2 Developments within the national perspective

As cooperation with respect to border control always involves an EU perspective, there is nothing to report from a national perspective.

6.2.3 Developments from the EU perspective

The Swedish Police, together with the Coast Guard and Customs, took part in the Presidency-initiated operations *Mitras* and *Demeter* concerning irregular migrants' routes within the Schengen area.

During the latter part of 2011 the national pool of border control experts, the RABIT-pool,²² received 14 new members, raising the total number of experts. This was done in preparation for the amended Frontex regulation and the provisions for the European Border Guard Teams.

Sweden has contributed to Frontex Joint Operations by sending guest officers to Greece, Italy, Slovenia and Hungary for a total of 170 working weeks. The Central Border Management Division (at the national level) has informed and provided training to county police authorities throughout Sweden regarding the ramifications of the implementation of the Visa Code, focusing on emergency visas and seafarers' visas. The Swedish Police are only in charge of issuing these types of visas. The relevant forms used in handling visa cases have been made available to all police authorities electronically via a national Police web site.

Regarding the Visa Information System, Sweden has successfully started to use the system in the first region and will continue to follow the common roll-out plan. The Central Border Management Division has provided information to the county police authorities regarding the entry into force of the VIS.

Within the framework of the Schengen cooperation regarding visas, Sweden was in 2011 represented by other Schengen States (in most cases Norway, France, Denmark or Germany) in 82 countries. Sweden represented other countries, mainly Nordic countries, in 20 states.²³

²² RABIT: Rapid Border Intervention Teams.

²³ A full list of Swedish Schengen representations is available [here](#).

7 INTERNATIONAL PROTECTION, INCLUDING ASYLUM

7.1 Specific context

Throughout recent years, Sweden has been one of the principal destination countries for asylum seekers within the European Union. In a ten-year-period (2002-2011), the annual number of first-time applications was highest in 2007 with a total of 36 207 applications. The lowest number was recorded in 2005, with 17 530 first-time applications. Apart from being an important destination for persons seeking international protection, Sweden also engages in resettlement. Resettlement is mainly undertaken following a proposal by the UN Refugee Agency, UNHCR.

7.2 Developments within the national perspective

No major reforms or constitutional amendments were made in 2011 in the area of asylum policy. The Aliens Act, with new rules of court hierarchy and legal procedure, which was introduced in 2006, is considered to be in line with the Geneva Convention, the European Convention on human rights and in recent times, EU directives in all major areas after stage-by-stage revisions.

In late summer 2011, the UNHCR – The Regional Office for the Baltic and Nordic countries in cooperation with the Swedish Migration Board – released the comprehensive review 'Quality in Swedish Asylum Examination' (*Kvalitet i svensk asylprövning*).²⁴ The report was the result of a two year project co-financed by the European Refugee Fund. The UNHCR analysed 200 asylum cases and monitored 56 cases in depth including asylum interviews.

The report states that the asylum examination system in Sweden has a high standard, both from a European and a global perspective. Sweden is well known for its interpretation of refugee law and a relatively high recognition rate. However, the UNHCR also concludes that even though the Swedish asylum procedure contains all relevant procedural safeguards, some aspects of the determination of claims were identified as in need of improvements. Some of the measures recommended by the UNHCR are addressed to the Swedish Migration Board, while others relating to current law and case-law are directed to the Migration Court of

²⁴ Feijen, Liv/Frennmark, Emelia (2011): [Kvalitet i svensk asylprövning](#), En studie av Migrationsverkets utredning av och beslut om internationellt skydd, Stockholm: UNHCR.

Appeal, the legislators or, when there is no interpretation in national practice, Swedish scholars.

The report gives recommendations for improvements in a number of areas:

- The system for appointing legal aids could be improved so that the best skills and experiences available within asylum law and Human Rights are secured for applicants who are in need of public counselling. The procedure must allow enough time for the asylum seeker and the lawyer to confer during the process in order to insure that the legal aid system can support the asylum seeker sufficiently.
- The Swedish Migration Board should improve training and tools for the staff handling and deciding in asylum cases. The report proposes several fields of improvement within law, behavioural sciences, gender, trauma, internal procedures, and quality assurance.
- There are also recommendations concerning quality improving activities in relation to interpreters and the use of language analysis methods.

The report and the recommendations presented will constitute an important source for development, projects as well as debate and further research in the years to come.

A project regarding new method of processing asylum cases entitled “Shorter Wait” (*Kortare Väntan*), is now implemented in all stages of first instance asylum processing. The ideal time for processing an asylum case including the provision of a legal aid is considered to be three months. In 2011, 47% of all asylum seekers obtained their decisions within that timeframe. 69% of all asylum cases were processed within five months, which corresponds to the goal set up by the Swedish Government.

Since the start of *Kortare Väntan*, the Swedish Migration Board has been able to reduce both the average time needed for processing an asylum application and the number of pending cases. By the end of the year 2008, the average processing time for an asylum application was 267 days, and there were 13 977 pending cases that had been pending for 160 days on average. At the end of 2009, the average processing time was 203 days, and there were 10 780 open cases that had been pending for 112 days. By the end of 2010, the average processing time had been further reduced and now amounted to only 130 days. There were 11 417 open cases that had been pending for 139 on average. Finally, by the end of the year 2011, the average processing time was 149 days. Only 31 per cent of all cases had a longer processing

time than 150 days. There were 10 647 pending cases at the end of the year, and these had been pending for 84 days on average.

This development needs to be seen against the background of a varying number of incoming asylum applications. For example, there were 24 353 new applications in 2008 and 31 613 in 2010. Hence, it can be concluded that the Swedish Migration Board was able to reduce the average processing time even when the total number of new cases increased.

The influx of asylum seekers to Sweden in 2011 was 7% lower than that of 2010 with a total of 29 648 first-time applicants (31 819 in 2010). The spread of countries of origin was more even than that of previous years with Afghanistan now being the prime country of origin, passing Somalia and Serbia.

Table 3: Number of first-time asylum-seekers 2010 and 2011, 15 main countries of origin

Citizens of	2010	%	2011	%	Change 2010-2011
Afghanistan	2 393	8	4 122	14	+ 72 %
Somalia	5 553	17	3 981	13	- 28 %
Serbia	6 343	20	2 705	9	- 57 %
Eritrea	1 443	5	1 647	6	+ 14 %
Iraq	1 977	6	1 633	6	- 17 %
Kosovo	1 567	5	1 210	4	- 23 %
Iran	1 182	4	1 120	4	- 5 %
<i>Stateless</i>	1 033	3	1 109	4	+ 7 %
Bosnia and Herzegovina	123	0.4	981	3	+ 698 %
Russia	988	3	933	3	- 6 %
Macedonia	908	3	890	3	- 2 %
Mongolia	727	2	773	3	+ 6 %
Syria	421	1	640	2	+ 52 %
Belarus	338	1	419	1	+ 24 %
Libya	311	1	402	1	+ 29 %
Others	6 512	20	7 083	24	+ 9 %
Total	31 819	100	29 648	100	- 7 %

Source: Swedish Migration Board

The removal of visa requirements for all countries on the Western Balkans except Kosovo in 2009 and 2010 has led to a high number of asylum seekers coming from that region even in 2011. Of those applying for asylum in Sweden in 2011, 20.9% were citizens of countries of the former Yugoslavia (except Slovenia). Very few individuals in this group were granted asylum in Sweden. Protection rates varied between 0% for persons from Macedonia and about 7% for applicants from Albania. For the largest nationality of asylum seekers, Afghanistan, the acceptance rate was 65%. Applicants from Somalia and Eritrea also had got high

acceptance rates with 63% and 75% respectively. The overall protection rate for all asylum seekers in Sweden in 2011 was around 30%. This means that the recognition rate in 2011 was 2% higher than in 2010.

In 26% of all positive decisions, a residence permit was granted on the basis of the Geneva Convention (refugee status). The share of subsidiary protection among all positive decisions was 54%. Another 5% of all residence persons were granted to persons who were otherwise in need of protection, and 12% were granted a permit on grounds of particularly distressing circumstances.

Sweden has a comprehensive reception and accommodation system, which is sometimes, when the number of asylum seekers rises, under considerable pressure. By the end of December 2011, more than 36 700 individuals were relying on support and welfare under the Act for Accommodation of Asylum Seekers. 28% of these individuals had a first instance asylum application pending, while another 19% had an appeal case in one of the Migration Courts. 36% were rejected asylum seekers, and a majority also had a rejected appeal case. Approximately 9% of all persons that were registered in the reception and accommodation system by the end of 2011 had already been granted a residence permit and were waiting to be transferred to a local community in Sweden for settlement. The average time period that asylum seekers spent within the reception and accommodation system in 2011 was 467 days. However, 58% of all asylum seekers were registered less than one year in the reception system. The percentage and the average time that persons with failed asylum cases spend within the reception system have gradually augmented throughout recent years. The Swedish Police and the Swedish Migration Board have started several projects at regional level to raise efficiency and improve the work with returnees.

7.3 Developments from the EU perspective

Common European Asylum System

The Swedish Government considers the establishment of a Common European Asylum System to be of key importance and supports the continuing work to harmonize the national asylum systems. From the perspective of the Swedish Government, legislative measures should be accompanied by extensive practical cooperation in order to improve the application of already existing and forthcoming common legislation. The current and future activities of the European Asylum Support Office (EASO) are therefore considered to be important. The

EASO can provide capacity building measures and provide necessary operational and technical support to Member States subject to particular pressure. Sweden and the Migration Board contributes in various ways to support the work of EASO.

Resettlement

As a way of sharing responsibility with countries hosting large groups of refugees and to safeguard access to asylum for people in need of protection, Sweden has continued to use a national program for organized resettlement even in 2011. By reducing the pressure on host countries' limited resources and improving their capacity for dealing with refugee flows, Sweden believes that it can contribute to creating better conditions even for persons who are not selected for resettlement. The annual Swedish resettlement quota for 2011 was 1 900.

Resettlement is undertaken following a proposal by the UN Refugee Agency, the UNHCR. When allocating the resettlement places available for 2011, the Swedish Migration Board gave special consideration to the strategic value of the selections made, and to initiatives which aim to reduce or eliminate protracted refugee situations.

The largest groups resettled to Sweden in 2011 were Somalis, Afghans, and Eritreans. The Swedish Migration Board selected 726 refugees via selection missions to Kenya, Djibouti, Egypt and Iran. 1 159 persons were granted residence permits following UNHCR dossier referrals. Of the places assigned for dossier referrals, 350 were reserved for emergency resettlement cases.

The Swedish Migration Board, being the national responsible authority for the implementation of the European Refugee Fund, continues to implement the current multiannual programme 2008-2013, and has in the area of resettlement granted funding to several successful projects developed by external bodies, as well as using ERF Funding for its national resettlement programme.

Asylum-related FRONTEX measures

Sweden has in 2011 contributed to Frontex joint operations (JO), pilot projects and the RABIT-operation²⁵ by deploying 20 guest officers over a total of 160 working weeks. In addition, a Swedish language specialist has been contracted by Frontex full time over the whole year for the Poseidon Sea JO.

²⁵ RABIT: Rapid Border Intervention Teams.

8 UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

8.1 Specific context

The number of unaccompanied children seeking asylum in Sweden has increased steadily over recent years. In 2008, 1 510 unaccompanied minors (UAM) applied for asylum. This number was 2 250 in 2009, 2 393 in 2010 and 2 657 in 2011. UAM now account for 9% of all asylum applications in Sweden.

8.2 Developments within the national perspective

In recent years, most of the unaccompanied children seeking asylum in Sweden have come from Afghanistan, Somalia, Serbia and Iraq. This trend continued even in 2011. The by far dominant group are UAM from Afghanistan. In 2011, Afghan UAM represented 64% of all unaccompanied asylum-seeking children.

The majority of the unaccompanied minors are boys who declare that they are between 15 and 17 years old. Establishing exactly how old they are remains a challenge due to the fact that many asylum seeking children arrive in Sweden without any identity documents that indicate their age. Of the 2 774 asylum cases processed by the Swedish Migration Board in 2011 involving unaccompanied children, 74% resulted in the granting of a residence permit.

During the spring of 2011, the Swedish Migration Board and the Swedish Association of Local Authorities and Regions (SALAR) held six regional seminars for persons within Sweden working with unaccompanied minors. At the same time, a dedicated web site was introduced.²⁶ The website aims at informing about the responsibilities of different societal actors concerning unaccompanied minors and providing examples of how this vulnerable group of migrants is dealt with throughout the country.

Since 1 January 2011, the County Administrative Boards are responsible for negotiating with municipal authorities regarding the reception of unaccompanied asylum-seeking children. The reception system for UAM has been, and continues to be, under enormous pressure due to the rising numbers of UAM arriving in Sweden and difficulties of local communities to offer a sufficient amount of suitable accommodation and care. Throughout recent years, the number of reception agreements between the Swedish Migration Board and the municipalities has

²⁶ <http://ensamkommandebarn.ski.se>

been insufficient to meet the need. This has led to a large proportion of minors seeking asylum being placed in temporary accommodation in so-called “arrival municipalities”, where the application for asylum is registered. This may have had negative consequences for those minors. In 2011, The Swedish Government commissioned two enquiries on the reception conditions for UAM and on government repayments for local communities that agree to receive and accommodate UAM. Both reports were delivered and published in October 2011.²⁷

In light of the increasing influx of asylum-seeking unaccompanied minors the Swedish Migration Board has also increased its efforts to facilitate the return of unaccompanied minors and continued to strengthen its international cooperation on the issue. For instance, the expert group within the Swedish Migration Board which is responsible for strategic planning and development on issues relating to repatriation and detention has been joined by an expert in the field of unaccompanied minors.

The Swedish Migration Board has also produced a legal position on the enforcement of return decisions concerning unaccompanied minors. In addition, the Migration Board has adjusted its enquiries to Swedish embassies regarding the opportunity of an orderly arrival in the country of origin. This means that a database will gradually be built up with information on opportunities for an orderly arrival, information which is crucial for the processing of return cases involving unaccompanied children.

8.3 Developments from the EU perspective

In accordance with the European Commission’s Action Plan on Unaccompanied Minors²⁸ launched in May 2010 and the related Council Conclusions²⁹ of June 2010, the Swedish Government has remained dedicated to issues concerning unaccompanied minors and prevention, protection and assisted return measures.

In this vein, the Swedish Migration Board has been assigned a specific task to facilitate the return of minors to their countries of origin. Following the Commission’s Action Plan, the Swedish Migration Board has initiated a project dealing with a humane and orderly return of

²⁷ Statens Offentliga Utredningar (2011): Asylsökande ensamkommande barn - en översyn av mottagandet ([SOU 2011: 64](#)), Stockholm (contains a summary in English); Regeringskansliet (2011): Översyn av den statliga ersättningen till kommuner för mottagande av ensamkommande barn (Ds 2011:34), Stockholm.

²⁸ European Commission (2010): Communication from the Commission to the European Parliament and the Council, Action Plan on Unaccompanied Minors (2010 - 2014), Doc-no. COM(2010) 213 final, Brussels.

²⁹ Council of the European Union (2010), [Council conclusions on unaccompanied minors](#), 3018th Justice and Home Affairs Council meeting, Luxembourg, 3 June 2010

unaccompanied minors that need to return after a final negative decision, the “European Return Platform for Unaccompanied Minors” (ERPUM). The ERPUM project will provide a basis for direct cooperation between a number of EU Member States (and Norway) and authorities in third countries, for practical work of returning unaccompanied minors primarily to their parents or guardians or other forms of organised reception and reintegration in the countries of origin. The project officially started on 15 January 2011 and is planned to continue until 15 July 2012. It is a co-operation between Sweden, the United Kingdom, the Netherlands and Norway, aiming at continuing and improving the work for a humane and legally secure return of unaccompanied minors to their country of origin. A management team for the ERPUM project was appointed during the first half of 2011, as well as a team of senior advisors and a team of handling officers. The team of senior advisors has conducted and participated in discussions during two missions to Afghanistan and a mission to Iraq. The team of handling officers has been involved with an exchange of experience and knowledge in the methods and practices for search and re-establishment for unaccompanied minors.³⁰

At EU and international level, Sweden has participated in meetings concerning unaccompanied minors and has actively cooperated with other Member States.

9 GLOBAL APPROACH TO MIGRATION

9.1 Specific context

The Global Approach to migration can be seen as the external dimension of the European Union's migration policy. It is based on the idea of partnership with third countries, is integrated into the EU's other external policies, and addresses all migration and asylum issues. Adopted in 2005, the Global Approach illustrates an ambition to establish an inter-sectoral framework to manage migration in a coherent way through political dialogue and close practical cooperation with third countries. The approach therefore addresses three equally important thematic dimensions: the management of legal migration, the prevention and reduction of illegal migration, and the relation between migration and development.³¹

³⁰ For more information on the ERPUM project, please see http://www.migrationsverket.se/info/4597_en.html.

³¹ For more information on the Global Approach to Migration and Mobility, please see e.g. European Commission (2011): Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – The Global Approach to Migration and Mobility, Doc-no. [COM\(2011\) 743 final](#), Brussels.

The Swedish Government considers that the Global Approach to Migration should be the overall working method in the EU external relations in the area of migration and reaffirms its commitment to its over-all objectives.

In 2010, a Communication to Parliament entitled *Meeting Global Challenges – Government communication on policy coherence for development* examined and evaluated how Sweden has contributed to the objective of equitable and sustainable global development in accordance with Sweden's Policy for Global Development. Migration flows are pointed out as one of six global challenges, and three focus areas were identified: Circular migration to and from Sweden and the EU; Remittances from Sweden to developing countries; and the protection and durable solutions for refugees.

The Swedish Government has also begun to establish a migration policy network of Swedish organizations involved in migration issues. This network contributes to further cooperation, collaboration and exchanges of information and experience in the complex area migration and development between the Government and civil society.

9.2 Developments within the national perspective

Sweden has actively taken part in the evaluation of the Global Approach that was conducted during 2011 and has in general welcomed the Commission Communication that followed the evaluation. The situation in the Southern Mediterranean and the development in North Africa have been in focus and partly influenced the development. The Swedish Government considers that a balance between the thematic and geographical scope of the Global Approach is the fundament of its success. Good relations and a good working climate between the Member States and the EU institutions are seen as prerequisites for a successful and credible implementation of the common policy, which, according to the Government, is an issue that still needs to be addressed in a constructive way.

Circular migration and development

In July 2009, the Swedish government appointed an independent Parliamentary Committee to examine the connection between circular migration and development. In its interim report in May 2010, the Committee mapped out and described the conditions for circular migration to and from Sweden and included also an analysis of the connection between migration and development. The Parliamentary Committee found that circular migration benefits both the development in migrants' countries of origin and Sweden in significant ways. Remittance

flows are one example. Another example is the promotion of international trade flows with countries from which many migrants come. The final report of the Committee, published in 2011, includes several proposals, including allowing longer periods of absence from Sweden without the loss of residency status, providing support to diaspora groups and their development-related projects, establishing a web site enabling migrants to compare transfer fees for remittances, and achieving better coherence between migration and development policy. The report is written in Swedish but comprises a summary in English.³²

9.3 Developments from the EU perspective

An evaluation of the Global Approach to Migration during 2011 in view of the Communication on the Global Approach that was presented in November by the Commission, in parallel with the development in the Southern Mediterranean region, has contributed to the development of partly new forms of cooperation and dialogue with third countries. It is a Swedish priority that the over-all and strategic framework for the EU external migration policy is based on the EU Global Approach to Migration.

Sweden has been holding the chairmanship of the Söderköping Process in 2011, which has been funded by the Swedish Ministry for Foreign Affairs. Following a decision at the High Level Meeting of the Söderköping Process in Budapest in December 2010, it was decided to work towards integrating the Process into the Eastern Partnership. During 2011 Sweden has been the driving force to realise this objective and at the High Level Meeting of the Söderköping Process on 8 December 2011, the Söderköping Process activities were handed over to the Eastern Partnership's newly established Panel on Migration and Asylum. This has not only economized the number of processes within the Global Approach to the East, but has also enabled the migration agenda of the Eastern Partnership to broaden and to further strengthen the practical cooperation of all EU Member States and the Eastern partner countries.³³

The Swedish contribution to the implementation of the EU Global Approach to Migration has been focused on participation in the Mobility Partnerships with Moldova, Georgia and Armenia. The Moldova project, which is headed by the Swedish Public Employment Service, seeks to promote voluntary return migration and the reintegration of Moldovan citizens, to collect and disseminate information on legal channels of immigration to Europe, and to boost

³² [Cirkulär migration och utveckling – förslag och framåtblick](#), SOU: 2011:28, Stockholm, p. 29-47.

³³ For more information on the Söderköping Process, please see <http://soderkoping.org.ua/page2864.html>.

the positive developmental impact of migration for Moldova. In Georgia, Sweden participates in the Czech lead project Supporting Reintegration of Georgian Returning Migrants, and in Armenia, Sweden participates in a new Twinning project with Poland focusing on capacity building in the area of migration and asylum management. Sweden is also actively involved in the implementation of the Prague Process Targeted Initiative through a pilot project within the area of asylum and international protection.

A further example of activities related to the Global Approach to Migration is the decision by the Swedish International Development Cooperation Agency (Sida) in 2009 to financially support the Georgian Civil Registry Agency, which is e.g. responsible for monitoring migration flows to and from Georgia. Sweden has also entered into negotiations on bilateral cooperation on issues related to labour migration with India and Russia respectively.

10 IMPLEMENTATION OF EU LEGISLATION

10.1 Transposition of EU legislation 2011

Type of legislation	Transposition required by	Status
<p>”Blue Card Directive” (Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment)</p>	<p>19 June 2011 (In respect of article 15 (6): 19 December 2011)</p>	Delayed
<p>”Sanctions Directive” (Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals.)</p>	<p>20 July 2011</p>	Delayed

Council Regulation (EC) No 380/2008 of 18 April 2008 amending Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals	Directly applicable regulation	Sweden has made necessary amendments in its national law (the Aliens Act and the Aliens Ordinance).
”Return Directive” (Directive 2008/115/EC of the European Parliament and of the Council (common standards and procedures in Member States for returning illegally staying third-country nationals))	31 December 2010	Delayed (transposition expected on 1 May 2012)

10.2 Experiences, debates in the (non-) implementation of EU legislation

In relation to Council Regulation (EC) No 380/2008, the requirement that persons applying for a residence permit must have biometric identifiers taken has to some extent been a subject for debates in 2011, especially concerning third country nationals who wish to apply for a residence permit for study purposes, see section 4.3.3 of this report. Apart from this, there are no broader debates on EU legislation to be reported.

ANNEX ON COMMITMENTS IN THE EUROPEAN PACT AND STOCKHOLM PROGRAMME

LEGAL IMMIGRATION AND INTEGRATION

1 Economic migration

1.1 European Pact on Immigration and Asylum

I(a) Implement policies for labour migration

There are no changes planned to the existing labour migration policy which was introduced in December 2008. Nor are there any known effects of the economic crisis to report. The Swedish legislation contains no quotas or lists of restricted professions.

I(b) increase the attractiveness of the EU for highly qualified workers and further facilitate the reception of students and researchers:

The legislative changes following the transposition of the Blue Card Directive are intended to enter into force during 2012.

Sweden introduced tuition fees in higher education for third country nationals as of the autumn semester 2011 (*Competing on the basis of quality - tuition fees for foreign students, Govt. Bill 2009/10:65*). In parallel, two scholarship schemes were introduced: one is targeted at highly qualified students from the 12 specific developing countries that are part of the Swedish aid programme (covering both living costs and tuition fees) and one is targeted at highly qualified third country students from all over the world (covering only tuition fees). The two scholarship schemes currently cover in total 90 million SEK divided as follows:

30 million SEK: towards the 12 developing countries within the Swedish aid programme.

60 million SEK: towards all countries in the world, except the above group.

In September 2011, the Government proposed a 20 million SEK increase of the programme targeting students from developing countries starting from 2012. This extra allocation would be available for students from all countries on the OECD DAC list of Official Development Assistance (ODA) recipients.³⁴

I(c) Do not aggravate the brain drain

In March 2011, Sweden's Parliamentary Committee for Circular Migration and Development (which was appointed in 2009) presented its final report to the Swedish Minister for Migration. The report contains both proposals for legislative changes and other recommendations aimed at facilitating increased circular migration between Sweden and migrants' countries of origin, in order to promote its positive development effects. The proposals are currently being considered by concerned ministries within the Swedish Government Offices.

³⁴ OECD DAC: The Organisation for Economic Co-operation and Development's Development Assistance Committee.

In September 2011, the Swedish Government has designated the National Board of Health and Welfare as the national contact point for issues regarding the WHO Global Code of Practice on the International Recruitment of Health Personnel. The Board is the contact point in Sweden for exchange of information regarding statistics and relevant legislation which concern the Code.

Since December 2008, when Sweden's labour immigration reform came into force, the Swedish Migration Board has been tasked with reporting statistics on work and residence permits issued for the top ten occupations which labour migrants represent. This reporting makes it possible to monitor possible increases in the number of labour migrants from sectors particularly vulnerable to brain-drain in certain developing countries.

1.2 Stockholm Programme

1(b) Improving skills recognition and labour matching

The National Agency for Higher Vocational Education is responsible for developing a national framework for validation of foreign professional qualifications, as well as providing certificates and synchronizing joint efforts with relevant stakeholders in the field. The Agency has developed criteria and guidelines for quality assurance together with a database for validation results. A total of 15 MSEK is allocated for the validation of foreign competence during 2009-2010. Furthermore, the government has assigned a number of universities and colleges to arrange supplementary courses for third country nationals with a foreign university degree. Access to programmes has increased over time and the courses have become adjusted for specific professions. Specific modules are offered at several universities to third country nationals with education in law and with teacher education. Another group, medical doctors and nurses have started their supplementary courses at four universities in the spring 2010. From autumn 2010 courses are also available for dentists. Complementary education for all educational fields is limited to maximum of two years and expected to result in corresponding Swedish degree. All in all 93.6 MSEK is invested annually for enhancing qualified skills during the period 2009-2011.

The new system for labour migration welcomes migrants of all skill levels, and an employer who is not able to meet his or her labour needs through recruitment in Sweden or in other EU/EEA countries or Switzerland is able to recruit labour from a third country if certain fundamental conditions, such as, for example, terms of employment, are fulfilled. Many national authorities and research institutes are involved in analysing the future labour market needs, and the Government gives its assessment in the annual budget bill. The economic crisis has had less effect than expected on the immigrant population in Sweden due to the fact that immigrants were underrepresented in the sectors worst affected by the downturn.

Sweden is in the process of negotiating a Memorandum of Understanding with India which will cover issues related to labour migration, including skills recognition and labour matching.

Relevant Swedish agencies will be tasked with analysing how increased information efforts could facilitate labour migration to Sweden from third countries, taking into account both the needs of Swedish employers and of third countries. It is expected that this analysis will be completed in 2012.

1.3 Key statistics³⁵

First residence permits, by reason (2011)					
	Total	Family reasons	Education reasons	Remunerated activities reasons	Other reasons
First permits	87 653	23 788	6 836	26 119	30 910

Source: Swedish Migration Board

Unemployment rates of Member State citizens versus third-country nationals residing in the (Member) State ³⁶		
	Third country nationals	Swedish nationals
Unemployment rate (%)	31.6%	7.6%

Source: Eurostat

2 Family Reunification

2.1 European Pact on Immigration and Asylum

I(d) To regulate family migration more effectively

Nothing to report.

2.2 Stockholm Programme

2(b) The Directive on family reunification, the importance of integration measures

Persons arriving for the purpose of family reunification have the right to receive language tuition (Swedish for Immigrants), and municipalities may also extend other introduction activities to this group, although they are not obliged to do so. A Government Enquiry in 2010 proposed extending the target group for civic orientation to all newly-arrived adults with a residence permit valid for more than one year, excluding guest students. In the Budget Bill for 2012, the Government proposes to spend 40 million SEK for civic orientation to a broader target group than persons in need of international protection, although not all newly arrived adults will be included.

3 Other legal migration

3.1 European Pact on Immigration and Asylum

I(e) to strengthen mutual information on migration by improving existing instruments where necessary;

Swedish consulates are on different locations involved in local Schengen-cooperation in order to exchange information.

³⁵ If not mentioned otherwise, all statistics quoted in this annex refer to the period 1 January to 31 December 2011 (annual data).

³⁶ 2011 Q 2 (Second quarter of 2011), age group 15-64 years; source: Eurostat (database extraction as of 9 november 2011)

On 10 January 2011, Sweden took over the presidency of the General Directors' of Immigration Services Conference (GDISC). With 33 member Immigration Services (or equivalent) from the 27 EU Member States, the EU Candidate Countries Croatia and Turkey and the Former Yugoslav Republic of Macedonia, Iceland, Norway and Switzerland, GDISC focuses on practical cooperation in the field of asylum and migration. Sweden will hold the Presidency until 2013. In order to manage and coordinate the GDISC work, a special GDISC-unit has been established within the Swedish Migration Board, located in Märsta near Stockholm.

I(f) Improve information on the possibilities and conditions of legal migration

The Swedish government has launched two webpages about studying and working in Sweden: www.studyinsweden.se and www.Sweden.se/work. A lot of information can also be found on the web page of the Swedish Migration Board, www.migrationsverket.se. By logging in to this page the applicant can also see the status for his/her application. This is applicable for visa, residence permits on grounds of studying, work or family reunification and naturalisation.

For some categories of applications the application can also be made online; this is applicable for residence permits for study purposes (for nationals of countries without visa requirement), work permits (for nationals of all countries) and Schengen visas. Schengen visas can currently be applied for online at the Swedish missions in Ankara, Beijing, Bogotá, Cairo, Damascus, Dhaka, Islamabad, Istanbul, Kiev, London, Rabat, Riyadh, Shanghai and Tehran. The currently existing possibilities for online applications and online checks of application status will be extended in the coming years as the so-called “e-migration” project continues. It is envisaged that even applications for residence permits for family reasons can be made online. Currently, a trial phase is underway for family reunification applicants residing in geographical areas under the responsibility of the Swedish embassies in Moscow and Bangkok.

Sweden will also take part in the European Migration Portal.

3.2 Stockholm Programme

The relevant commitments in the Stockholm Programme are similar to the Pact objective above, hence no further information is provided.

4 Integration

4.1 European Pact on Immigration and Asylum

I(g) Promote harmonious integration in line with the common basic principles

On 1 December 2010, the new law on introduction of certain newly arrived immigrants entered into force. The reform aimed to speed up the introduction of immigrants by strengthening personal incentives to find a job and to participate in introduction activities. The Public Employment Service has a coordinating role and is responsible for drawing up individual introduction plans containing three elements: 1) various employment preparation activities, 2) Swedish language classes and 3) civic orientation.

During 2011, the Government has followed the implementation of the reform closely through, for example, continuous dialogue with the responsible authorities. The Swedish Agency for

Public Management is charged with evaluating how well the different authorities cooperate, and also follow-up to what extent the introduction plans are individual. In addition, the University of Stockholm has been given the task to follow-up how the effect of the reform on new arrivals' opportunities to access the labour market, in particular the situation for migrant women.

In November 2011, the Government agreed the terms for a Government Enquiry on how to increase labour market participation among migrant women and persons who arrive on the grounds of family reunification. The Enquiry will report its findings in October 2012.

1(h) Promote information exchange on best practices in terms of reception and integration

Within the work of developing a new integration strategy, the Government organised a national conference on integration in October, gathering some 250 people working in national authorities, municipalities, civil society organisations and academia. The conference generated many suggestions on policy direction and concrete measures.

Swedish NGOs have been actively participating in the European Integration Forum meetings throughout 2011. The Red Cross continue to act as Swedish editor on the European Website on Integration.

4.2 Stockholm Programme

3(b) to incorporate integration issues in a comprehensive way in all relevant policy areas

The goal of Swedish integration policy is equal rights, obligations and opportunities for all regardless of ethnic or cultural background. This goal is to be achieved mainly through general measures for the whole population, supplemented by targeted support for new arrivals during their first years in Sweden. In May the Government set up an intra-departmental working group to develop a new national integration strategy. The working group's task is to review current integration policy goals, and suggest policy measures that facilitate integration, primarily within the field of employment, but also in other areas. Any policy developments should be firmly based on knowledge and the aim is to present a new integration strategy and concrete policy proposals in the budget bill for 2013.

3(e) improved consultation with and involvement of civil society

The Government continues to follow up on the 2010 agreement on integration between the Government, a number of NGOs and the Swedish Association of Local Authorities and Regions. Topics for discussion include how organisations can play a more active role in introduction of newly arrived immigrants, and how to facilitate NGOs access to integration fund projects. Within the Government's urban development work, on-going dialogue with housing associations and other NGOs on how they participate in local partnerships is carried out.

3(f) to enhance democratic values and social cohesion in relation to immigration and integration of immigrants and to promote intercultural dialogue and contacts

The European Integration Fund supports a number of projects aimed at facilitating intercultural dialogue, for example, projects encouraging interaction between different religious groups in Sweden.

ILLEGAL IMMIGRATION AND RETURN

5 Illegal Immigration

5.1 European Pact on Immigration and Asylum

II(a) only case-by-case regularisation

Nothing to report.

II(c) ensure that risks of irregular migration are prevented

Nothing to report.

II(d) to develop cooperation between Member States, using, on a voluntary basis and where necessary, common arrangements to ensure the expulsion of illegal immigrants

The Swedish Police continues to use chartered flights in order to carry out returns. In addition, frequent joint return flights have been organised by the Swedish Police together with other Member States, and in cooperation with Frontex.

II(g) take rigorous actions and penalties against those who exploit illegal immigrants

In June 2009 the Swedish Government appointed a committee that was tasked with examining how the Employer Sanctions Directive³⁷ should be transposed into Swedish law. The committee presented its final report on 30 September 2010.³⁸ The committee found that several provisions in the directive already exist in Swedish legislation. There are however need of some amendments in national law as a result of the directive. These amendments include the provisions regarding prohibition and criminalization of employment of persons illegally staying in the Member State. Currently the Swedish Government is drafting a proposal for change – a Government bill. Necessary amendments in national legislation are estimated to enter into force during 2012.

II(h) an Expulsion Decision taken by one Member State (MS) should be applicable throughout the EU and entered into the SIS obliging other MSs to prevent the person concerned from entering or residing

Nothing to report.

³⁷ [Directive 2009/52/EC](#) of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals.

³⁸ The final report is available [here](#).

5.2 Stockholm Programme

4(j) more effective action against illegal immigration and trafficking in human beings and smuggling of persons by developing information on migration routes as well as aggregate and comprehensive information which improves our understanding of and response to migratory flows

Sweden has an effective and developed way to receive information in order to combat illegal immigration and human smuggling. The Police cooperate with other relevant organisations in Sweden such as the Custom, the Coast Guard and the Migration Board in order to receive a clearer picture of modus operandi and the smuggling routes. Sweden also exchanges information with international organisations such as Interpol, Europol, Frontex as well as with non-government organisations.

The liaison officers are important for collecting relevant information on smugglers, smuggling routes, patterns and other relevant factors to illegal immigration.

The liaison officers contribute with information to reports produced by Frontex and Europol and they also produce reports together with the other Nordic countries.

4(k) increased targeted training and equipment support

An expert from the Central Border Management Division within the National Police Board holds training courses for consular staff at Swedish diplomatic missions abroad approximately four times a year. The main purpose of the training is to improve detection of false documents used in visa and residence permit application procedures at the consular posts. The training also includes information on recent developments regarding trends in document falsifications and visa abuse.

The National Police Board, with the participation of the Central Border Management Division and the Swedish Police Academy, is developing an interactive online training course regarding both internal control of foreigners and external border control. This training programme will be accessible to employees of the Swedish Police, the Swedish Customs and the Swedish Coast Guard with an aim to enhance the employees' knowledge regarding issues related to the Swedish Alien's Act and relevant EU legislation.

4(l) a coordinated approach by Member States by developing the network of liaison officers in countries of origin and transit.

A number of immigration liaison officers, titled migration experts, have been stationed at the consular departments of Swedish embassies abroad. As from 1 January 2011, the migration experts are under the control of the Swedish Migration Board. Migration experts have been placed in the following cities: Addis Ababa, Bangkok, Beijing, Damascus, Moscow and Skopje. From 1 January 2012, two Migration Experts will start their assignments in New Delhi and Tehran.

5.3 Key statistics

<i>Third-country nationals regularised</i>	
Third-country nationals regularised	<i>Sweden has no regularization programme.</i>

6 Return

6.1 European Pact on Immigration and Asylum

II(b) To conclude readmission agreements at EU or bilateral level

Type of readmission agreement	Third countries involved	Main purpose of the agreement
Bilateral	Republic of Kosovo	Readmission of persons

II(f) To devise incentive systems to assist voluntary return and to keep each other informed

One of the goals of the Swedish Migration Board is to increase the number of asylum seekers who return voluntarily. A person whose asylum application has been rejected is supposed to leave the country voluntarily within the time given in the decision. If this decision is not followed, the case is handed over to police authorities. One of the tasks of the Migration Board officers is to inform the asylum seeker about the different support activities that he/she is entitled to when he/she returns. In 2011, 20 304 cases have been closed. 9 741 persons (48%) returned voluntarily and 4 851 (24%) were handed over to the police as absconders (disappeared) and 4 660 (23%) handed over to the police for forced return.

Unaccompanied children

In January 2011 the Swedish Migration Board launched a new project – European Return Platform for Unaccompanied Minors (ERPUM) in cooperation with the Netherlands, Norway and the UK. This project, financed by the European return fund, aims to develop models for a human and organized return for unaccompanied children. The ERPUM model is addressing minors 15-17 years old after receiving a final negative decision for asylum from the host country. The intention is to focus on family reunification.

The ERPUM model is built on ideas of cooperation with the local society and therefore important to underline to strength the local capacity and to work on a case-by-case basis. The sustainability has also been a major important issue. During 2011, two trips to Afghanistan have been done, in order to discuss the model with representatives of government and NGOs. In November 2010 a co-operation was launched between The Swedish Migration Board, the Swedish Police and The Swedish Prison and Probation Service in order to increase efficiency and legal certainty in the enforcement work. The project is financed by the European Return Fund.

Reestablishment support

It is possible for asylum seekers to receive reestablishment support as a way of encouraging voluntary return. At the moment asylum seekers of approximately 20 countries have the possibility to apply for this support. The number of countries is revised on a regular basis which can lead to countries being added to the list as well as exclude some.

In 2011, some 1 413 persons applied for reestablishment support. 67% of all applications were granted. It is still mainly Iraqi nationals who apply and receive the support. The support is being transferred to the asylum seeker upon arrival in the country of origin, through the IOM (International Organization for Migration).

The Migration Board has had reintegration agreements with IOM regarding return to Afghanistan and Iraq which both ended in February 2011. The programmes consisted of

assistance of starting a business, education and work training etc. Another project has been conducted in cooperation with the Swedish Red Cross, targeting 15 individuals in need of psychiatric care returning voluntarily to Kosovo. Further to this, a project in cooperation with a local Serbian NGO (“Group 484”) aims at social and culture reintegration of Roma returning to Serbia. The Swedish Migration Board has also recently entered into an agreement with the Danish Refugee Council regarding return to Serbia and Kosovo. The programme consists of activities such as pre-departure information and counselling, reception and transport upon arrival, support to health assistance, education for minors, business counselling and vocational training etc.

Cooperation with other countries

Since 2010 the Swedish Migration Board participates in a project with Belgium, Netherlands, Germany and France. The project Common Planning and Evaluation Platform is financed by the EU return fund in Belgium. The purpose of this project is to find common reintegration projects where the member states can cooperate and share the costs. One part of the project is to visit on-going reintegration projects in different member states.

6.2 Stockholm Programme

4(c) ensuring that the objective of the EU’s efforts on readmission should add value and increase the efficiency of return policies, including existing bilateral agreements and practices

Nothing to report.

4(e) assistance by the Commission and Frontex and Member States on a voluntary basis, to Member States which face specific and disproportionate pressures, in order to ensure the effectiveness of their return policies towards certain third states

Nothing to report.

4(f) increased practical cooperation between Member States, for instance by regular chartering of joint return flights

The Swedish Police continue to use chartered flights in order to carry out returns. In addition, more frequent joint return flights (JRO) have been organised by the Swedish Police together with other Member States, and in co-operation with Frontex.

Until 11 November 2011, Sweden has so far organised nine joint return operations, which were co-ordinated and financed by Frontex. Furthermore, Sweden has participated in 38 joint return operations co-ordinated and financed by Frontex. Sweden is part of Frontex Core Country Group regarding return operations.

Sweden has also organised 17 joint return operations, independent from Frontex, where several Member States have participated. These operations were financed through a division of costs between the organising and participating countries based on the number of seats for returnees occupied by each participating country. The operational co-operation is based on the European Council decision of 29 April 2004 (2004/573/EC) and conducted in accordance with the annex *Common Guidelines, Frontex Best Practices for the Removal of Illegally Present Third-country Nationals by Air* and the *Frontex Code of Conduct*

The operational co-operation regarding preparation of travel documents amounts to an exchange of information and experience.

6.3 Key statistics

<i>Third-country nationals ordered to leave and returned</i>			
	Returned as part of forced return measures	Returned voluntarily	Within the third-country nationals returned voluntarily, number of third-country nationals returned as part of an assisted return programme
Third-country nationals	2 494	9 741	1 413 (persons who have received support for re-establishment in the country of origin)

Source: Swedish Migration Board

7 Actions against human trafficking

7.1 European Pact on Immigration and Asylum

II(e) cooperation with the countries of origin and of transit, in particular to combat human trafficking and to provide better information to communities under threat

No planned actions at national level.

7.2 Stockholm Programme

The relevant commitments in the Stockholm are similar to the Pact commitments, hence no further description is provided.

7.3 Key statistics

<i>Third-country nationals receiving a residence permit as victims of human trafficking</i>	
Third-country nationals	39

Source: Swedish Migration Board

<i>Traffickers arrested and convicted</i> ³⁹		
	Arrested / otherwise involved in a criminal proceeding	Convicted
Traffickers	97	1

Source: Swedish Ministry of Justice

³⁹ Figures given in this Table refer to the period 1 January - 30 September 2011.

BORDER CONTROL**8 Control and surveillance at external borders****8.1 European Pact on Immigration and Asylum*****III(a) more effective control of the external land, sea and air borders:***

The Central Border Management Division within the National Police Board has expanded, and strengthens national co-ordination regarding border control, both within the Swedish Police and in co-operation with Customs and the Coast Guard. Sweden has also started taking necessary measures regarding a possible participation in EUROSUR.⁴⁰

III(e) deploy modern technological means for border control:

Nothing to report.

8.2 Stockholm Programme

7(i) invites the Member States and the Commission to explore how the different types of checks carried out at the external border can be better coordinated, integrated and rationalised with a view to the twin objective of facilitating access and improving security.

Sweden takes a continuous interest in the development of E-gates and/or automated border control (i.e. ABC-gates).

8.3 Key statistics

<i>Visas issued</i>			
	Total Visas	Schengen Visas	National Visas
Visas	202 657	200 172	2 485

Source: Swedish Migration Board

9 Cooperation with respect to border control**9.1 European Pact on Immigration and Asylum*****III(b) generalise the issue of biometric visas, improve cooperation between Member States' consulates and set up joint consular services for visas:***

Sweden has started with biometric visas according to the common VIS roll-out schedule⁴¹ in North Africa at the Consular Posts in Rabat and Cairo. Sweden is planning to follow the regional roll-out schedule for the introduction of biometric visas.

Within the framework of the Schengen cooperation regarding visas, Sweden was in 2011 represented by other Schengen States (in most cases Norway, France, Denmark or Germany) in 82 countries.

Sweden represented other countries, mainly Nordic countries, in 20 states.⁴²

⁴⁰ EUROSUR: European external border surveillance system.

⁴¹ Commission Decision [2010/49/EC](#).

III(d) solidarity with MS subjected to disproportionate influxes of immigrants

Sweden has in 2011 contributed to Frontex joint operations (JO), pilot projects and the RABIT-operation⁴³ by deploying 20 guest officers over a total of 160 working weeks. In addition, a Swedish language specialist has been contracted by Frontex full time over the whole year in the Poseidon Sea JO.

SE has participated in the following JO:s:

Attica, EL

Poseidon Sea, EL

RABIT, EL

Aeneas, IT

Focal points, HU and SI

Hammer, IT and AT

III(f) intensify cooperation with the countries of origin and of transit in order to strengthen border control

Nothing to report.

9.2 Stockholm Programme***6(a) The European Council encourages the Commission and Member States to take advantage of the entry into force of the Visa Code and the gradual roll-out of the VIS***

Sweden has implemented the required technical changes for the Visa Code in the national VIS system. The national VIS system was rolled-out during 2009 without biometric visas. Sweden is planning to follow the regional roll-out schedule for the introduction of biometric visas. The national VIS system is connected to the central VIS system. Biometric visas are issued in the central VIS system in the first region at the Swedish Consular Posts in Rabat and Cairo.

ASYLUM**10 International Protection****10.1 European Pact on Immigration and Asylum*****IV(c) solidarity with MS which are faced with specific and disproportionate pressures on their national asylum systems:***

The Swedish Migration Board is involved in the EASO-operation⁴⁴ in Greece to improve the asylum and reception systems in Greece. The Swedish Migration Board has a national pool of 30 experts available for EASO's Asylum Intervention Teams and has also 15 experts available for EASO's EAC Pool.⁴⁵ It also contributes with expertise to the EASO Country of Origin Information (COI) Reference Group. The Swedish Migration Board has sent – and will

⁴² A full list of Swedish Schengen representations is available [here](#).

⁴³ RABIT: rapid border intervention teams.

⁴⁴ EASO: European Asylum Support Office.

⁴⁵ EAC: European Asylum Curriculum.

continuously send – its experts/specialists to assist EASO in its supporting operation in Greece, and to other Member States which request the support of EASO. Further, the Swedish Migration Board has during the spring of 2011 carried out a pre-study on the introduction of EAC-training in Greece.

Sweden has not been involved in any intra-EU reallocation activities. Indirectly, however, Sweden has contributed to disburdening the asylum system in Greece by suspending Dublin transfers of asylum seekers to Greece.

IV(d) strengthen cooperation with the Office of the United Nations High Commissioner for Refugees to ensure better protection for people outside the territory of European Union Member States who request protection, in particular by moving, on a voluntary basis, towards the resettlement within the European Union

The focus of the selection as well as the actual number of quota places is determined by the Swedish government. In 2011, the quota comprised 1,900 persons. The nationalities and where the refugees come from is determined in cooperation with UNHCR.

Refugees are selected either through delegation selection or through dossier selection. Delegation selection means that the refugees are selected in the country where they presently live. They are interviewed on site by persons seconded from the Swedish Migration Board.

For dossier selection, the UNHCR sends its analysis to the Swedish Migration Board who then decides based on the evidence.

Within the 2011 resettlement programme, the Horn of Africa and Afghanistan have been prioritized. Refugees from Somalia, Eritrea and Ethiopia have been resettled to Sweden from Kenya, Djibouti and Sudan. Around 400 Afghans will be resettled to Sweden from Iran. Furthermore, refugees from different countries will be selected for resettlement in North Africa, the Middle East and Asia. A number of places have been reserved for emergency cases from all over the world. So far this year (January - September 2011), the most frequent countries of nationality of persons admitted to Sweden through resettlement have been Somalia, Afghanistan, Eritrea, Ethiopia, Sudan and Congo.

In 2011, the Migration Board undertook resettlement delegation trips to Kenya, Djibouti, Egypt (border region Libya/Egypt) and Iran.

IV(e) MS are invited to provide the personnel responsible for external border controls with training in the rights and obligations pertaining to international protection

Each County Police Authority employing border control personnel provides training regarding the rights and obligations pertaining to international protection on a regional level within the framework of a national training programme based on the Common Core Curriculum.

10.2 Key statistics

<i>Third-country nationals reallocated and resettled to your (Member) State</i>			
	Total	Reallocated	Resettled
Third-country nationals	1 895	---	1 895

Source: Swedish Migration Board

<i>Training of border guards on asylum</i>		
	Total number of border guards	Border guards who received training
Border guards	<i>Statistics not available</i>	<i>Statistics not available</i>

UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

11 Unaccompanied Minors (and other vulnerable groups)

11.1 European Pact on Immigration and Asylum

There are no specific commitments concerning unaccompanied minors included in the Pact.

11.2 Stockholm Programme

5(a) develop an action plan, to be adopted by the Council, on unaccompanied minors which underpins and supplements the relevant legislative and financial instruments and combines measures directed at prevention, protection and assisted return

As a result of the EU Action Plan on Unaccompanied Minors launched in May 2010, the Swedish Migration Board has initiated an application to the European Commission for financial support for a project called the European Return Platform for Unaccompanied Minors (ERPUM). ERPUM is funded by and is a form of cooperation between the EU partner countries Sweden (the Swedish Migration Board), the United Kingdom (Border Agency), the Netherlands (Ministry of Justice) and Norway (Directorate of Immigration), and the Return Fund. The ERPUM project focuses on humane and orderly return of unaccompanied minors that need to return after a final negative decision. The ERPUM project will provide a basis for direct cooperation between a number of EU MS (and Norway) and the authorities in third countries, in the practical work of returning unaccompanied minors primarily to their parents/guardians or other forms of organised reception in the countries of origin.

At EU and international level, Sweden has participated in meetings concerning unaccompanied minors, for instance 31 May 2011 in Madrid, in the framework of the EU-US Platform for Cooperation on migration and refugee issues", 16-17 June 2011 in Geneva, in the IGC Workshop on Age Determination, 21 June 2011 in Brussels, the first meeting in the COM Expert Group on Unaccompanied Minors in the migration process.

11.3 Key statistics

<i>Unaccompanied minors</i>	
Number of unaccompanied minors	2 657

Source: Swedish Migration Board

GLOBAL APPROACH TO MIGRATION

12 External cooperation / global approach to migration

12.1 European Pact on Immigration and Asylum

V(a) conclude EU-level or bilateral agreements with the countries of origin and of transit containing clause on legal and illegal migration as well as development

Type of agreement	Third countries involved	Main purpose of the agreement
EU Mobility Partnerships	Moldova, Georgia and Armenia	Promote legal migration, prevent illegal migration and promote synergies between migration and development
Bilateral (on-going)	India	Cooperation on issues related to labour migration.
Bilateral (on-going)	Russia	Cooperation on issues related to labour migration.

V(b) offer the nationals of partner countries to the East and South of Europe opportunities for the legal immigration

Sweden's rules for labour immigration that entered into force in December 2008 have made it easier for third-country nationals to come to Sweden to work and for Swedish employers to recruit labour from countries outside the European Union. To spread information regarding the new rules, the Swedish Institute has created an informative web portal at the Government's request. During the first three quarters of 2011, more than 20 000 work permits have been issued. See also chapter 1 on "economic migration". The Swedish labour migration rules apply to nationals of all third countries.

In July 2009, the Swedish Government appointed an independent Parliamentary Committee to examine the link between circular migration and development. The Committee's task was to map out circular migration and identify factors that influence migrants' opportunities to circulate, i.e. to move from Sweden to their countries of origin and back to Sweden again. The aim was to propose measures to remove obstacles to spontaneous circular migration, in order to facilitate increased mobility and enhance the positive development effects deriving from it. An interim report presenting the findings of the initial survey was released in May 2010. The final report was published in March 2011. It is written in Swedish but comprises a summary in English.⁴⁶

V(c) cooperation with the countries of origin and of transit in order to deter or prevent illegal immigration

Cooperation with third countries in order to combat illegal immigration is related to individual cases. The Nordic countries have liaison officers in some of the risk countries, and they work with combating illegal migration to Sweden. The Nordic countries cooperate and

⁴⁶ [Cirkulär migration och utveckling – förslag och framåtblick](#), SOU: 2011:28, Stockholm, p. 29-47.

the liaison officer represents all Nordic countries and they are present in transit countries as well as in countries of origin. The transit countries for migration to Sweden are mainly EU- and Schengen countries. Cooperation with the EU-countries is channelled through Europol, Frontex, Interpol and other international organisations.

V(d) More effective integration of migration and development policies

The interim and final reports of Sweden's Parliamentary Committee for Circular Migration and Development, presented respectively in May 2010 and March 2011, contain valuable information that can contribute to the further integration of migration and development policies in Sweden.

V(e) promote co-development actions and support instrument for transferring migrants' remittances

In the final report of Sweden's Parliamentary Committee on Circular Migration and Development, it is proposed that an authority should be requested to set up a website where consumers can compare the costs of transferring a given sum of money to a given country through different operators.⁴⁷ This proposal is currently being considered within the Swedish Government Offices.

12.2 Stockholm Programme

11(h) how diaspora groups may be further involved in EU development initiatives, and how EU Member States may support diaspora groups in their efforts to enhance development in their countries of origin

In the Government Communication *Global Challenges - our responsibility*, both the need to facilitate circular migration and the active engagement of members of diasporas in the development of their country of origin/ancestry are acknowledged.

With regard to circular migration, it is stated that: "The Government will seek – inter alia through the reform of the Swedish labour immigration policy and within the EU – to facilitate mobility among labour immigrants and ensure that obstacles to voluntary return, either to migrants' country of origin or back to Sweden, are avoided to the extent possible. The Government will also seek to ensure that future legislative processes in the area of migration do not impede mobility. Sweden will continue to call attention to the interests of developing countries in the context of EU policymaking on labour immigration." It is also stated that the Government intends – inter alia "to seek to ensure that the Swedish labour immigration policy reform helps to enhance the developmental effects of migration in developing countries, inter alia through measures aimed at promoting circular migration."

With regard to engagement of the diaspora, it is stated that the Government intends, inter alia, to: "increase knowledge about diasporas in Sweden and their contribution to development in countries of origin, as well as more actively engage in and support their contribution in cooperation with relevant government agencies, the business community and NGOs; promote the transfer of knowledge from individual labour immigrants and diasporas to their countries

⁴⁷ [Cirkulär migration och utveckling – förslag och framåtblick](#), SOU: 2011:28, Stockholm, p. 195.

of origin, through initiatives in private sector development, trade, development cooperation and other policy areas as well as through active involvement in these issues in the EU and internationally; work for more secure and cheaper remittance transfers, inter alia by commissioning a website with the UK website Send Money Home as a model; and to support activities that will encourage entrepreneurship among migrants in Sweden who want to contribute to development in their countries of origin.”

The Swedish Government’s initiative, the *Kosmopolit* project, targeting foreign-born nationals as a resource in trade promotion, aims to make use of the knowledge and contacts they possess and which place them in a particularly good position both to pursue trade and to offer guidance to other Swedish enterprises. *Kosmopolit* can be expected to help give developing countries greater access to the Swedish market and improve these countries’ chances of attracting foreign investment.

The Swedish Government has established a migration policy network of Swedish organizations involved in migration issues. This network contributes to further cooperation, collaboration and exchanges of information and experience in the complex area migration and development between the Government and civil society.

The Government has contributed to the project ‘Investment Cooperation with Entrepreneurs from Immigrant Backgrounds’ which is being undertaken by *Swedfund International AB* in collaboration with Swedish entrepreneurs with backgrounds from Asia, Africa, Latin America and Eastern Europe outside the EU. The project supports business ideas with the potential to become viable enterprises in the entrepreneur’s country of origin. In 2009, over 50 business ideas were received (primarily relating to health, energy, ICT and manufacturing). In cooperation with the entrepreneurs themselves, *Swedfund* has transformed about half of these ideas into business plans, of which two targeting Iraq have now been approved.

Several of the proposals contained in the report of Sweden’s Parliamentary Committee for Circular Migration and Development aim at supporting the Diaspora’s development-related efforts in countries of origin.
