

# EMN Annual Report on Migration and Asylum 2018

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## Sweden



**EMN Annual Report on Migration and Asylum 2018 – Sweden**

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## 1 SVENSK SAMMANFATTNING

Denna rapport syftar till att beskriva de viktigaste utvecklingarna inom migration och asyl under 2018 i Sverige och redogöra för relevanta nationella offentliga debatter i ljuset av policyutvecklingen på Europeisk nivå och dess betydelse för den nationella nivån.

### *Övergripande trender*

Migrationen till Sverige år 2018 kännetecknades av en ytterligare minskning av antalet personer som sökte asyl. Även den totala immigrationen, mätt som antal beviljade uppehållstillstånd för förstagångssökande för olika typer av migration, minskade något jämfört med de två tidigare åren. Inom migrationen ökade arbetskraftinvandring kraftigt medan antalet som fick uppehållstillstånd för familjeåterförening minskade något.

Totalt registrerades 21 502 asylansökningar i Sverige under 2018, en minskning med ungefär 16 procent jämfört med 2017 när 25 666 ansökningar registrerades. Särskilt om detta jämförs med rekordåret 2015 (när nästan 163 000 ansökningar registrerades) är siffrorna för 2018 på en låg nivå, den lägsta nivån sedan 2005.

Då flyktingsituationen under 2015 ledde till överbelastning av Migrationsverket har det tagit lång tid för Migrationsverket att hantera det rekordstora antalet ansökningar från det året. Under 2018 handlade Migrationsverket fortfarande ett betydande antal asylansökningar som lämnats in 2015 och 2016, även om man under året lyckades minska eftersläpningen betydligt så att den nästan var helt borta i slutet av 2018. Eftersläpningen av öppna ärenden från 2015 fortsatte att påverka den genomsnittliga handläggningstiden (i första instans) för asylärenden som var 507 dagar under 2018, nästan samma som 2017 (496 dagar). Medan Migrationsverket fattade beslut i nästan 112 000 asylärenden under 2016 var antalet beslut 2017 66 301 och 35 512 under 2018. Således var antalet beslut i första instans fler än antalet nya ansökningar. Andelen positiva beslut var 32 procent under 2018, vilket ger en lägre andel som beviljats skydd än 2017 när 41 procent av besluten i första instans var positiva.

Det totala antalet uppehållstillstånd för förstagångssökande som utfärdades under 2018, för alla typer av anledningar (asyl, familjeskäl, arbete, studier och andra anledningar) var 132 552. Detta är en liten minskning jämfört med 2017 (135 529 utfärdade tillstånd) men ett betydligt mindre antal än 2016 när 151 031 tillstånd utfärdades – den högsta siffran för Sverige under modern tid.<sup>1</sup>

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<sup>1</sup> Migrationsverkets statistik går tillbaka till 1980.

Tabell 1 (i absoluta tal) och Figur 1 (i procent) visar huvudkategorierna av uppehållstillstånd för förstagångsansökningar under 2018. Personer som invandrade till Sverige för familjeåterförening, familjebildning eller annan familjeledning var den största kategorin av immigranter (44 861 beviljade uppehållstillstånd) följt av arbetskraftsinvandrare (41 048). Skyddsbehövande, personer som fått uppehållstillstånd för skydd eller av humanitära skäl efter en asylprocess eller efter vidarebosättning till Sverige, var den tredje största gruppen, med 24 935 utfärdade tillstånd. Internationella studenter från tredjeland var den fjärde största gruppen av immigranter med 14 105 tillstånd.

En ny utveckling under 2018 var att personer som gavs uppehållstillstånd enligt reglerna om arbetskraftsinvandring var en mycket större grupp än gruppen som fick asyl eller uppehållstillstånd av humanitära skäl. Under 2016 och 2017 var personer med skyddsskäl den näst största kategorin.

Ytterligare 7 603 personer beviljades uppehållstillstånd enligt EU:s regler om fri rörlighet för personer, så som tredjelandsmedborgare som har status som varaktigt bosatta i en annan medlemsstat eller tredjelandsmedborgare som är familjemedlemmar till en EU-medborgare som flyttar till Sverige.<sup>2</sup>

**Tabell 1: Övergripande immigrationstrender: Beviljade förstagångsansökningar om uppehållstillstånd 2016-2018**

Anledning	2016	2017	2018
Familjeskäl	39 007	48 046	44 861
Arbetsmarknadsskäl*	24 710	32 294	41 048
Skyddsskäl/humanitära skäl**	71 562	36 531	24 935
Studier***	11 423	13 416	14 105
Fri rörlighet EU/EES	4 329	5 242	7 603
<b>Totalt</b>	<b>151 031</b>	<b>135 529</b>	<b>132 552</b>

**Noter:**

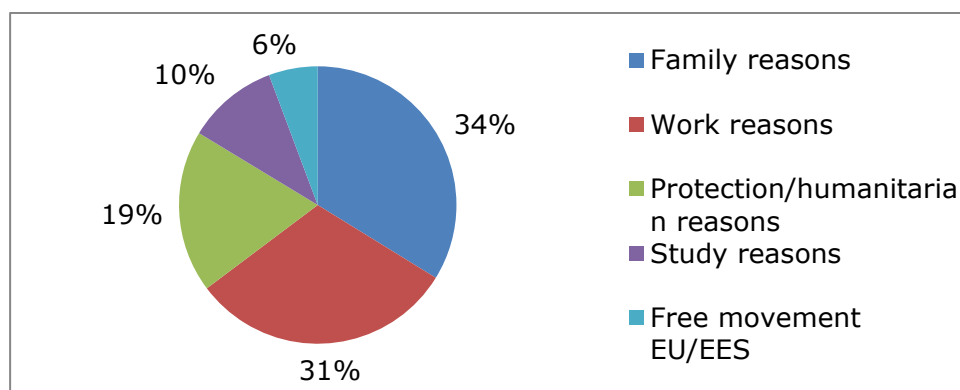
\* Inkluderar familjemedlemmar till arbetskraftsinvandrare

\*\* Detta inkluderar skydd för flyktingar, subsidiärt skydd, vidarebosättning och uppehållstillstånd beviljade p.g.a. särskilt försvårande omständigheter eller för att en person inte kan återvändas. Här inkluderas också

\*\*\* Inkluderar familjemedlemmar till internationella studenter.

**Källa:** Migrationsverket

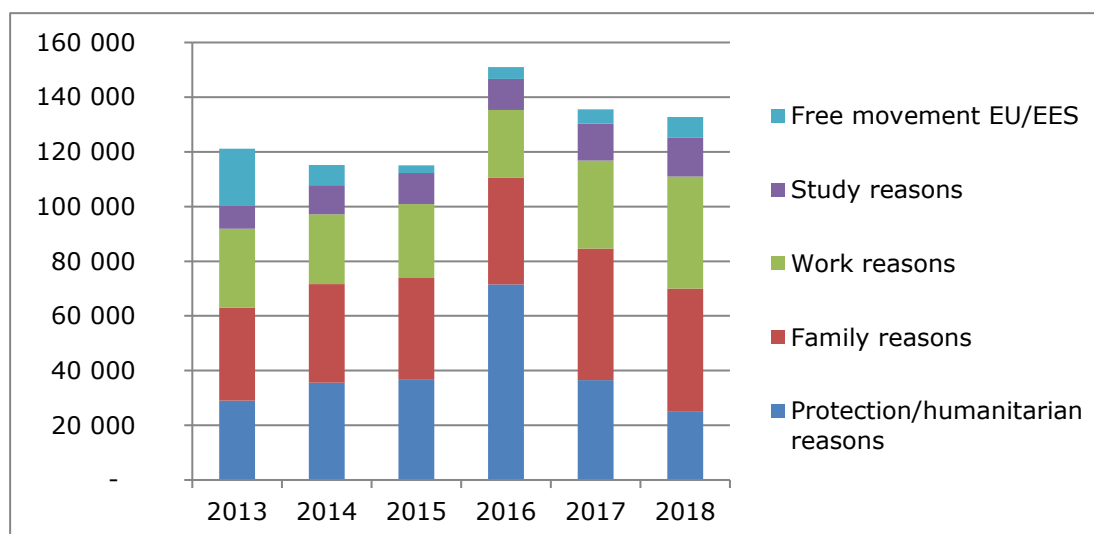
<sup>2</sup> Sedan maj 2014 behöver EU- och EEA-medborgare inte registrera sin uppehållsrätt hos Migrationsverket längre, vilket är förklaringen till att antalet tillstånd eller uppehållsrätter beviljade enligt reglerna om EU :s regler om fri rörlighet förefaller vara mycket mindre för 2015 och 2016 jämfört med tidigare år.

**Figur 1: Övergripande immigrationstrender: Beviljade förstagsansökningar om uppehållstillstånd 2018**

**Källa:** Migrationsverket

Figur 2 nedan visar beviljade uppehålls- och arbetstillstånd i ett längre tidsperspektiv. Upphållstillstånd beviljade av skyddsskäl och humanitära skäl ökade under perioden 2013-2016 och minskade 2017 och 2018. I jämförelse ökade familjerelaterad immigration långsamt fram till 2016 och sedan väsentligt under 2017. Under 2018 minskade antalet tillstånd beviljade för familjeskäl. För arbetsmarknadsimmigration är trenden en kraftig ökning under 2017 och ännu mer under 2018. 2018 nådde arbetskraftsinvandringen den högsta nivån på tio år. Vad gäller internationella studenter (invandring med anledning av studier) är trenden svagt växande under hela perioden.

Slutligen, för personer som kommer till Sverige i enlighet med EU:s fria rörlighet är det svårt att jämföra över femårs-perioden eftersom EU-medborgare inte längre behöver registrera sin uppehållsrätt (sedan maj 2014). Medan kategorin "fri rörlighet EU/ESS" omfattade ganska stora grupper fram till 2014 inkluderas nu bara mindre grupper, såsom förklarats i fotnot 2.

**Figur 2: Tidslinje – beviljade uppehållstillstånd 2013-2018**

**Källa:** Migrationsverket

*Internationellt skydd*

Antalet asylsökande som kom till Sverige under 2018 minskade med 16 procent jämfört med året innan. 21 502 personer ansökte om asyl. De flesta asylsökande 2018 kom från Syrien (2 709), Irak (1 369), Iran (1 257), Georgien (1 156) och Eritrea (873). Afghanistan som har varit ett viktigt ursprungsland tidigare år var inte längre bland top-fem av nationaliteter för asylsökande i Sverige under 2018.

I ett europeiskt perspektiv fortsatte Sverige vara ett viktigt destinationsland och mottagningsland för asylsökande men inte i samma utsträckning som under "den europeiska flyktingkrisen" under 2015 och innan dess. Under 2018 var Sverige det åttonde största mottagarlandet inom EU vad avser antal asylsökande (efter Tyskland, Italien, Frankrike, Grekland, Storbritannien, Spanien och Österrike), och sjätte störst om satt i relation till befolkningsstorlek (efter Cypern, Grekland, Malta, Luxemburg och Tyskland).<sup>3</sup>

När det gäller asylprocessen fattade Migrationsverket 35 512 beslut i första instans rörande asylansökningarna under 2018. Detta är ungefär 46 procent färre beslut jämfört med 2017 när 66 301 beslut fattades. Den kraftiga minskningen visar att Migrationsverket gradvis arbetat av det stora antalet asylansökningar som lämnades in 2015.

11 217 personer beviljades skydd under 2018. Den totala bifallsandelen för beslut i första instans var således 32 procent. Bifallsandelen har konstant sjunkit under de senaste åren, från 60 procent 2016, till 41 procent 2017 och nu 32 procent. Den lägre bifallsandelen är främst ett resultat av ändrad sammansättning av de grupper av asylsökande som kommit till Sverige, vilket vi kommer att diskutera i kapitel 4 i denna rapport. Om Dublin-ärenden och andra asylärenden som inte behandlas materiellt i Sverige, t.ex. avskrivna ärenden,<sup>4</sup> inte tas med i denna beräkning var bifallsandelen 39 procent under 2018 och 47 procent 2017.

Det lägre antalet asylansökningar under 2018, 2017 och 2016, jämfört med 2015, förklaras till stor del av policyutvecklingen på annat håll i Europa, såsom överenskommelsen från 2016 mellan EU och Turkiet för att stoppa irreguljära migranternas resor till de grekiska öarna, gränskontrollåtgärder längs "Balkan-rutten" i centrala och södra Europa men också i Danmark. Det har också blivit farligare och svårare för potentiella asylsökande att korsa Medelhavet från Libyen till Italien eller Malta, vilket i sin tur beror på, bland annat, färre räddningsoperationer i Medelhavet, EU-stöd till den libyska kustbevakningen och försök från Italien att hindra fartyg med migranter ombord att lägga till i italienska hamnar. Till en viss del kan lagstiftningsändringar i Sverige och den svenska gränskontrollen också bidragit till denna utveckling. Riksdagen beslutade om en tillfällig lag 2016 vilken introducerade tillfälliga uppehållstillstånd för skyddsbehövande (istället för permanenta uppehållstillstånd) och som begränsade

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<sup>3</sup> Källa: Eurostat databasen.

<sup>4</sup> En ansökan avskrivs om, till exempel, en sökande avviker eller återtar sin ansökan. Under 2017 avskrevs 5 094 ansökningar. 3 200 ärenden handlades i enlighet med Dublin-reglementet.

rätten till familjeåterförening samtidigt som möjligheterna för asylsökande att få uppehållstillstånd av humanitära skäl begränsades. Under hela 2018 hade Sverige också tillfälliga gränskontroller vid vissa gränser inom Schengen.

#### *Vidarebosättning och vidareflyttning*

Sveriges program för vidarebosättning utökades under 2018, från 3 400 under 2017 till 5 000 platser 2018. Under 2017 deltog Sverige delvis i EU:s omfördelningsprogram vilket fasades ut under början av 2018.

#### *Ensamkommande barn*

Medan antalet ensamkommande barn (unaccompanied minors UAM) ökade drastiskt under 2015 var det en kraftig minskning 2016 och 2017 och en fortsatt minskning under 2018. Medan 35 369 ansökningar från ensamkommande barn registrerades 2015 var antalet 2 199 år 2016, 1 336 år 2017 och 944 under 2018.

2018 kom de flesta ensamkommande barn från Syrien (136), Marocko (126) och Somalia (106). Detta är en förändring av mönstret från tidigare år då Afghanistan under lång tid varit den avsevärt största nationaliteten bland ensamkommande barn som kommit till Sverige. Denna grupp spelar nu bara en lite roll.

#### *Invandring av familjeskäl*

Framförallt som en konsekvens av det höga antalet asylsökande som kom till Sverige under 2015 har familjerelaterad invandring ökat 2016 och 2017 för att sedan minska något under 2018. Migrationsverket beviljade 39 077 tillstånd 2016, 48 046 under 2017 och 44 861 under 2018. Bland möjliga skäl för bosättning i landet är familjerelaterade tillstånd fortfarande den största andelen (34%).

En tillfällig lag som begränsar möjligheten att beviljas uppehållstillstånd i Sverige, och rätten till familjeåterförening, trädde i kraft den 20 juli 2016. Enligt denna tillfälliga lag har flyktingar som har en välgrundad utsikt att få permanent uppehållstillstånd fortsatt rätt till familjeåterförening med sin maka/make/partner, sambo och/eller minderårigt barn och barn som är flyktingar har rätt att återförenas med sina föräldrar. Däremot har alternativt skyddsbehövande som lämnade in sin ansökan om asyl efter den 24 november 2015 ingen rätt till familjeåterförening enligt den tillfälliga lagen. Den tillfälliga lagen introducerade också hårdare försörjningskrav som ett villkor för familjeåterförening genom att utöka försörjningskraven till att inkludera både anknytningspersonen själv och försörjning för familjemedlemmen. Det är rimligt att anta att utan dessa restriktioner hade den familjerelaterade immigrationen till Sverige under 2018 varit större.

Inom gruppen personer som beviljades uppehållstillstånd av familjeskäl var 37 procent familjemedlemmar till flyktingar och andra skyddsbehövande. Övriga var personer som flyttade till andra personer som bor i Sverige, inklusive svenska



medborgare, EU-medborgare och tredjelandsmedborgare med permanent uppehållstillstånd i landet. Siffrorna inkluderar också utländska adoptioner och barn som föddes i Sverige med föräldrar som är utländska medborgare.

#### *Arbetsmarknadsinvandring.*

Antalet immigranter som kom till Sverige av arbetsmarknadsrelaterade skäl har de senaste åren haft en stark ökande trend. 24 710 personer beviljades uppehållstillstånd p.g.a. arbete i Sverige under 2016. Denna siffra ökade till 32 294 personer 2017 och till 41 048 under 2018. I denna grupp inkluderas medföljande familjemedlemmar till arbetskraftsinvandrare.

Bärplockare och trädplanterare (4 882), IT-arkitekter, systemanalytiker och testledare (4 415), och professionella ingenjörer (1 249) var de tre största yrkesgrupperna bland de som kom till Sverige för att jobba under 2018. Systemet för arbetsmarknadsinvandring till Sverige ger tillgång till arbetsmarknaden för både högkvalificerade personer och arbetare i yrken med ingen eller låga kvalifikationer.

Den 1 mars 2018 trädde ny lagstiftning om förflyttningar inom företag i kraft och implementerade EU:s ICT direktiv<sup>5</sup> i svensk lagstiftning. Den 1 juni 2018 trädde ny lagstiftning om tillstånd för säsongsarbetare i kraft vilken implementerade EU:s direktiv om säsongsarbete<sup>6</sup> i svensk lagstiftning.

Migrationsverkets fortsatta utveckling av ett "certifieringssystem" för betrodda arbetsgivare har bidragit till kortare handläggningstider för arbetsmarknadsinvandrare för att få uppehållstillstånd för arbete för certifierade arbetsgivare.

I december 2017 fattade Migrationsöverdomstolen beslut i ett prejudicerande fall som under 2018 haft konsekvenser för Migrationsverkets beslut rörande förlängning av arbetstillstånd. Prejudikatet innebär en "övergripande bedömning" när det ska avgöras om villkoren för anställningen har uppfyllts under den tidigare anställningsperioden.<sup>7</sup> Tidigare gjordes en striktare bedömning. Ett rättsligt ställningstagande utfärdades av Migrationsverket i mars 2018 för att ytterligare klargöra den nya praxisen för sin personal.<sup>8</sup> Som en följd av detta minskade antalet avslag för förlängningsansökningar för arbetstillstånd under 2018.

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<sup>5</sup> Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer.

<sup>6</sup> Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

<sup>7</sup> När en person ansöker om förlängning av ett tillfälligt arbetstillstånd måste han/hon visa att villkoren för anställningen har uppfyllts under den tidigare anställningsperioden.

<sup>8</sup> Migrationsverkets rättsliga ställningstagande är operativa direktiv om hur legala ramverk ska tillämpas i The Migration Agency's Legal Comments are operational directions on how to apply the existing legal framework in a certain manner.

Arbetstillstånd är alltid tillfälliga inledningsvis men kan förlängas om de tillämpliga villkoren har uppfyllts.

### *Internationella studenter*

Antalet personer som flyttat till Sverige för att studera ökade också under 2018, från 13 416 under 2017 till 14 105. Bland dessa personer som beviljades tillstånd under 2018 var en majoritet (9 243) antagna som studenter på universitet och högskolor och 951 som doktorander. Ytterligare 2 418 var familjemedlemmar till internationella studenter och 606 kom för andra studier.

De återstående 644 personerna fick uppehållstillstånd för att söka arbete efter sina studier i Sverige. Möjligheten att ansöka om denna typ av "jobsökar-tillstånd" introducerades 2014 och antalet tillstånd som har beviljats av denna anledning har konstant ökat sedan dess.

De huvudsakliga ursprungsländerna för personer som fick uppehållstillstånd för studier var: Kina (2 201), Indien (1 858), Pakistan (1 039) och Iran (1 029).

## OVERVIEW SUMMARY

This report aims to outline the most significant developments in the area of migration and asylum in Sweden in 2018 as well as relevant public debates, also in the context of European policy development and its impact on the national level.

### *Overall trend*

As regards migration to Sweden, the year 2018 was characterised by a further decrease in the number of people seeking asylum. Also, the overall volume of immigration, measured on the basis of the number of all first-time residence permits granted for different purposes of stay, decreased slightly as compared to the two preceding years 2017 and 2016. However, within the overall migration context, immigration for work purposes saw a strongly increasing trend, while family reunification was somewhat less dynamic than before.

In total, Sweden registered 21 502 asylum requests in 2018, roughly 16 percent fewer than in 2017, when 25 666 applications for asylum were lodged. Especially when compared to the record influx of asylum seekers to Sweden in 2015 (almost 163 000), the figure for 2018 represents a low level. In fact, the number of new asylum seekers in 2018 was the lowest since 2005.

As the refugee situation in 2015 caused an overburdening of the Swedish Migration Agency, it took a long time for the Agency to cope with the record number of applications that year. In 2018, the Agency still handled a substantial number of asylum applications that had been submitted in 2015 and 2016, although it managed to reduce the backlog considerably, which then almost disappeared towards the end of 2018. The backlog of pending cases from 2015 continued to affect the average processing time (first instance procedures) for asylum applications, however, which was 507 days in 2018, almost the same as in 2017 (496). While the Agency had taken almost 112 000 decisions of asylum cases in 2016, 66 301 decisions were issued in 2017, and 35 512 in 2018. Thus, the number of first-instance decisions in 2018 still was greater than the number of new incoming cases. The share of positive decisions was 32 percent in 2018, which constitutes a lower protection rate than in 2017, when 41 percent of all first-instance decisions taken were positive.

The total number of first-time residence permits that were issued during the year 2018 for all purposes of stay (asylum, family reasons, employment, studies, and other purposes) was 132 552. This represents a small decline compared to 2017 (135 529 permits issued), but a significantly lower number than in 2016, when 151 031 first-time residence permits were issued – the highest figure recorded in Sweden in modern times.<sup>9</sup>

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<sup>9</sup> The statistical data provided by the Swedish Migration Agency go back to 1980.

Table 1 (absolute numbers) and Figure 1 (percentages) show the main categories of first-time residence permits that were granted in 2018. Persons who immigrated to Sweden for purposes of family reunification, family formation or other family-related purposes represented the largest broad category of immigrants (44 861 permits issued), followed by labour migrants (41 048). Beneficiaries of protection, i.e. individuals who received a residence permit for protection or humanitarian purposes after an asylum procedure or after resettlement to Sweden, were the third largest category, with 24 935 permits issued. International students from third countries constituted the fourth largest category of immigrants in 2018, with 14 105 permits.

A new development in 2018 was that persons who were given permits under the labour immigration rules represented a much larger group than the number of people granted asylum or residence for humanitarian purposes. In 2016 and 2017, protection was the largest or second largest category.

Another 7 603 people were granted residence permits under EU rules regarding the free movement of persons, such as third-country nationals who had a long-term resident status in another Member State or third-country nationals who were family members of an EU citizen moving to Sweden.<sup>10</sup>

**Table 1: Overall immigration trend: First-time residence permits granted in 2016-2018**

Reasons	2016	2017	2018
Family reasons	39 007	48 046	44 861
Work reasons*	24 710	32 294	41 048
Protection/humanitarian reasons**	71 562	36 531	24 935
Study reasons***	11 423	13 416	14 105
Free movement EU/EES	4 329	5 242	7 603
<b>Total</b>	<b>151 031</b>	<b>135 529</b>	<b>132 552</b>

**Notes:**

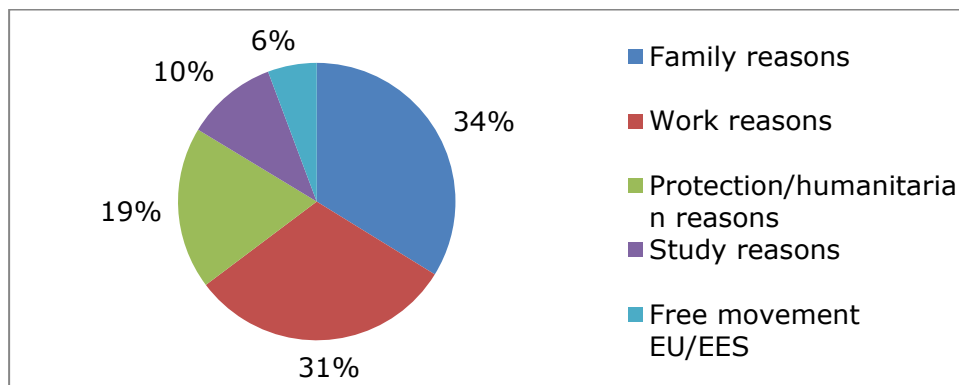
\* Includes family members of labour immigrants.

\*\* This includes protection for refugees, subsidiary protection, resettlement and residence permits granted due to exceptionally distressing circumstances or because a person could not be returned. Also includes residence permits granted under the "Upper secondary school Act" for young asylum seekers.

\*\*\* Includes family members of international students.

**Source:** Swedish Migration Agency

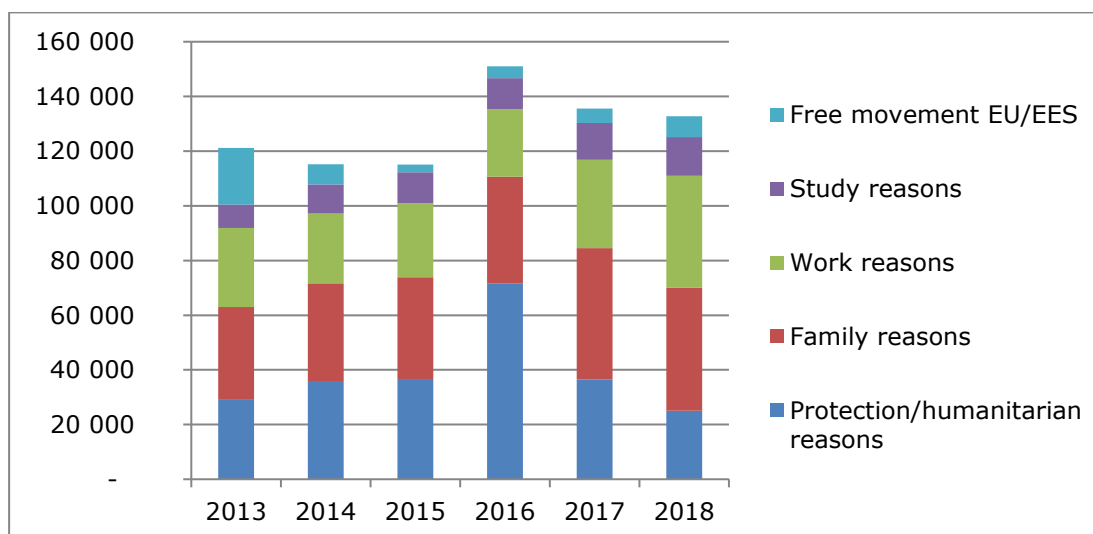
<sup>10</sup> Since May 2014, EU- and EEA-citizens do not need to register their right of residence at the Migration Agency any more, which is why the number of permits or residence rights granted under EU free movement rules appears much smaller for 2015 and 2016 compared to previous years.

**Figure 1: Overall immigration: First-time residence permits granted 2018**

**Source:** Swedish Migration Agency

Figure 2 below shows the granting of residence and work permits in a longer-term perspective. Residence permits granted for protection and humanitarian reasons have increased over the period 2013-2016, and then declined in 2017 and 2018. In comparison, family-related immigration grew modestly until 2016, and then increased substantially in 2017. In 2018, the number of permits granted for family reasons decreased. For work-related immigration, the trend shows a strong growth in 2017, and particularly in 2018. In fact, over the past ten years, labour migration was never stronger than in 2018. As far as international students (immigration for education purposes) are concerned, a slowly increasing trend is visible over the entire period.

Finally, people coming to Sweden under EU free movement rights are difficult to compare over a five-year period as EU-citizens do not need to register their right to stay any more (since May 2014). While the category "Free movement EU/EES" covered a relatively large group of people until 2014, it now only includes minor groups, as described in footnote 2.

**Figure 2: Timeline - all first-time residence permits granted, 2013-2018**

**Source:** Swedish Migration Agency

*International protection*

The number of asylum seekers coming to Sweden in 2018 decreased by 16 percent compared to the year before. 21 502 people applied for asylum. Most asylum seekers in 2018 came from Syria (2 709), Iraq (1 369), Iran (1 257), Georgia (1 156) and Eritrea (873). Afghanistan, which had been an important country of origin in previous years, was no longer among the top five nationalities of asylum seekers in Sweden in 2018.

In a European perspective, Sweden continued to be an important destination and receiving country for asylum seekers, but not to the same degree as in during the “European refugee crisis” in 2015 and before. In 2018, Sweden was the eighth largest recipient country within the EU in absolute numbers (after Germany, Italy, France, Greece, the United Kingdom, Spain and Austria), and the sixth largest recipient country in relation to the size of its population (after Cyprus, Greece, Malta, Luxemburg and Germany).<sup>11</sup>

When it comes to outcomes of asylum procedures, the Swedish Migration Agency made 35 512 first-instance decisions on asylum cases in 2018. This means roughly 46 percent fewer decisions than in 2017, when 66 301 decisions were taken. The strong decline also shows that the Migration Agency gradually worked off the large number of asylum cases that were filed in 2015.

11 217 individuals were granted protection in 2018. The overall protection rate at first instance level was therefore 32 percent. The protection rate has continuously fallen over recent years, from 60 percent in 2016 to 41 percent in 2017 and now 32 percent. The lower protection rate is mainly a result of a changed composition of asylum seekers population coming to Sweden, as elaborated further in Chapter 4 of this report. If Dublin cases and other asylum cases that Sweden did not examine materially, e.g. cases that were written off,<sup>12</sup> are excluded from this calculation, the protection rate was 39 percent in 2018, and 47 percent in 2017.

The lower level of asylum applicants in 2018, 2017 and 2016, compared to 2015, is to a large degree considered a result of policy developments elsewhere in Europe, such as the 2016 agreement between the EU and Turkey to stop irregular migrant crossings to the Greek islands, border control measures along the “Balkan route”, in Central and Southern Europe as well as Denmark. It has also become more dangerous and difficult for potential asylum seekers to cross the Mediterranean from Libya to Italy or Malta, which is – among other factors – related to fewer search and rescue operations in the Mediterranean, EU support to the Libyan Coastguard, and attempts in Italy to prevent vessels carrying migrants from disembarking them in Italian ports. To a certain extent, legislative changes in Sweden as well as Swedish border controls may also have contributed to this

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<sup>11</sup> Source: Eurostat-Database.

<sup>12</sup> An application is written off, among other reasons, if the applicant absconds or withdraws his or her application. In 2017, 5 094 applications were written off. 3 200 cases were handled under the Dublin regulation.

development. The Swedish Parliament had passed a temporary law in 2016, introducing temporary residence permits for beneficiaries of international protection (instead of permanent ones) and restricting the right to family reunification as well as possibilities for asylum seekers to be granted residence permits on humanitarian grounds. Throughout 2018, Sweden also had temporary controls at certain intra-Schengen borders in place.

#### *Resettlement and relocation*

The Swedish resettlement programme was expanded in 2017, from 3 400 in 2017 to 5 000 resettlement places in 2018. In 2017, Sweden participated in the EU emergency relocation scheme, which was phased out in early 2018.

#### *Unaccompanied minors*

While the number of unaccompanied minors (UAM) had escalated drastically in 2015, it declined very strongly in 2016 and 2017, and continued to decrease in 2018. While 35 369 applications by UAM had been registered in 2015, their number was 2 199 in 2016, 1 336 in 2017 and 944 in 2018.

In 2017, most UAM came from Syria (136), Morocco (126) and Somalia (106). This represents a change of pattern when compared to previous years. Afghanistan had for a long time been the by far largest nationality group among UAM coming to Sweden. This group now only plays a minor role.

#### *Immigration for family reasons*

Mostly as a consequence of the high number of asylum seekers coming to Sweden in 2015, family-related immigration increased in 2016 and 2017 but then decreased somewhat in 2018. The Migration Agency granted 39 007 permits in 2016, 48 046 in 2017 and then 44 861 in 2018. However, among all possible grounds for residence, family-related permits still represented the largest share (34%).

A temporary law restricting the possibility of being granted a residence permit in Sweden, and the right to family reunification, entered into force on 20 July 2016. Under this temporary law, refugees who have well-grounded prospects of obtaining a permanent residence permit continue to have a right to family reunification with their spouse, cohabitant and/or minor children, and children who are refugees have a right to reunification with their parents. By contrast, a beneficiary of subsidiary protection who has submitted his/her asylum application after 24 November 2015 has no right to family reunification under the temporary act. The temporary act also introduced stricter maintenance requirements as a condition for family reunification by extending them to include both the sponsor him-/herself and support to the family member. It is reasonable to assume that without these restrictions, family-related immigration to Sweden in 2018 would have increased.



Within the overall group of persons who were granted residence permits for family reasons, 37 percent were family members of refugees and other beneficiaries of protection. The others are persons that joined other people living in Sweden, including Swedish nationals, EU nationals and third country nationals with permanent residence in the country. The number also includes adoptions abroad and children that were born in Sweden to parents with foreign nationality.

### *Labour-related immigration*

The number of immigrants coming to Sweden for employment purposes has seen a strongly increasing trend recently. 24 710 individuals were granted a residence permit on the basis of work in Sweden in 2016. This figure increased to 32 294 persons in 2017 and 41 048 in 2018. This group also includes accompanying family members of labour immigrants.

Berry pickers and planters (4 882), IT architects, systems analysts, and test managers (4 415), and engineering professionals (1 249) represented the three largest occupational groups among those who came to Sweden for work in 2018. The labour immigration system thus provides access to Sweden for both highly-qualified people and workers in professions with no or lower qualification requirements.

On 1 March 2018, new legislation on intra-corporate transfers entered into force, implementing the European Union's ICT Directive<sup>13</sup> in national law. On 1 June 2018, new legislation on permits for seasonal work entered into force, which implemented the EU Seasonal Employment Directive<sup>14</sup> in national law.

The Swedish Migration Agency's further development of the "certification system" for trusted employers has contributed to shorter processing times for labour migrants to obtain a residence permit for work with certified employers.

In December 2017, the Migration Court of Appeal set a precedent, which – in 2018 – had consequences for the Migration Agency's decision-making regarding extensions of work permits. The precedent introduced an "overall assessment" when determining if the conditions of employment were met during the previous term of employment.<sup>15</sup> Previously, a stricter assessment was made. A legal comment was issued by the Migration Agency in March 2018 to further clarify the new practice for its staff.<sup>16</sup> As a consequence of this, the number of refusals of applications for work permit extensions decreased in 2018. Work permits are

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<sup>13</sup> Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer.

<sup>14</sup> Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

<sup>15</sup> When an individual applies for an extension of a temporary work permit, they must show that the conditions of employment were met during the preceding period of employment.

<sup>16</sup> The Migration Agency's Legal Comments are operational directions on how to apply the existing legal framework in a certain manner.



always temporary at first, but can be extended if the respective conditions are fulfilled.

*International students*

The number of people moving to Sweden for study purposes also increased in 2018, from 13 416 in 2017 to 14 105. Among those individuals that were granted a permit in 2018, a majority (9 243) were admitted as students at universities and university colleges, and 951 as doctoral students. Another 2 418 were admitted as family members of international students, and 606 for other educational purposes.

The remaining 644 persons received a residence permit to look for work after their studies in Sweden. The possibility of applying for this type of “job-seeker permit” was introduced in 2014, and the number of permits granted for this purpose has increased ever since.

The main countries that third-country nationals who were granted a residence permit for study purposes came from were China (2 201), India (1 858), Pakistan (1 039) and Iran (1 029).

## 2 INTRODUCTION

In accordance with Article 9(1) of Council Decision 2008/381/EC establishing the EMN, each National Contact Point of the network is required to provide every year a report describing the migration and asylum situation in the respective Member State. The report is structured so as to present relevant information on each aspect or dimension of migration and asylum.

As during the past three years, the EMN Annual Report on Migration and Asylum for 2018 consists of two parts and a statistical annex. Part I was designed as a questionnaire and is primarily intended to inform policy-makers within the European Commission about national developments that are relevant to them when analysing and evaluating the impact of EU legislation and policies. The Swedish contribution to Part I was completed in February 2018 and sent to the Commission. Due to its rather technical nature and limited use for the general public, it remains unpublished but is available from the Swedish EMN NCP upon request.<sup>17</sup> The same is true for the statistical annex, which was sent to the Commission in late April 2018.

This report represents Part II of the Swedish EMN Annual Report on Migration and Asylum for 2018. It is primarily intended for audiences that are interested in an overview of the asylum and immigration situation in Sweden and specific national audiences, such as policy-makers, researchers, the media and the general public. It is published on the national website of EMN Sweden.<sup>18</sup>

Section 1 introduces the report. Section 2 provides an overview of asylum and migration policy developments, to set a general context for the developments to be described in more detail further below. It includes an overview of the general political developments, as well as main policy and legislative debates, broader developments in asylum and migration, plus institutional developments. Sections 3-8 describe specific developments in the main areas of asylum and migration. Some sections are sub-divided into more specific, thematic sub-sections.

The Report covers the period 1 January to 31 December 2018. However, at some instance, it may also include references to developments that started in earlier years and continued in 2018 or early 2019. It is the 15<sup>th</sup> report in a series of such EMN annual reports. Until 2015, however, the EMN Annual Report on Migration and Asylum had a different title, "EMN Annual Policy Report".

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<sup>17</sup> Please contact [emn@migrationsverket.se](mailto:emn@migrationsverket.se) to obtain the report.

<sup>18</sup> [www.emnsweden.se](http://www.emnsweden.se).

### 3 OVERVIEW OF ASYLUM AND MIGRATION POLICY DEVELOPMENTS

#### 3.1 Organisational structure of asylum and migration policy

In Sweden, 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 Government can supplement laws with ordinances. The Ministry of Justice is the Government body responsible for migration policy. It is also responsible for certain aspects of integration policies, which are shared between several other ministries but mainly lie within the responsibilities of the Ministry of Employment.

The Swedish Migration Agency and the Swedish Police Authority report to the Ministry of Justice and there is considerable cooperation at various levels between the ministry and these authorities. However, the authorities are formally subordinated to the Government as a whole and not a single Ministry.<sup>19</sup>

Within the area of migration and asylum, the Swedish Migration Agency is the responsible administrative agency concerning residence permits, work permits, visas, the reception of asylum seekers, return, acquisition of citizenship and repatriation. Also active in the area of migration are the Migration Courts, the Migration Court of Appeal, the Police Authority, the Swedish Prison and Probation Service, the Swedish missions abroad and the Public Employment Service (*Arbetsförmedlingen*). In addition, the County Administrative Boards negotiate with the municipalities on the reception of individuals who have been granted protection.

Legal provisions pertaining to the tasks of the Swedish Migration Agency are found primarily in the Aliens Act, the Aliens Ordinance and the Ordinance with Instructions for the Swedish Migration Agency. The Government also manages the Agency by means of annual budget appropriation directives that specify the operational budget and objectives.

The Migration Agency 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. The integration of recognised refugees and beneficiaries of subsidiary protection is a responsibility of the Public Employment Service *Arbetsförmedlingen* and the 290 Swedish municipalities.

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<sup>19</sup> 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.

While the Swedish Migration Agency has the responsibility for voluntary returns, the Police Authority is the main responsible authority for border control and forced return. The Customs and the Coast Guard are required to assist the Police in the control of third country nationals' entry and exit and the Coast Guard shall control the vessel traffic at sea borders.

The legal system pertaining to migration in Sweden is governed by the Aliens Act (*Utlänningslagen*, Statute 2005:716), and emanating from that law, the Aliens' Ordinance (*Utlänningsförrordningen*, Statute 2006:97). The current Aliens Act took effect on 31 March 2006 and has subsequently been amended many times. The Administrative Judicial Procedure Act (Statute 1971:291) governs with regard to appeals. The Administrative Procedure Act (Statute 1986:223) contains certain general statutes that govern all administrative agencies. Since July 2016, a temporary act restricting the possibility of being granted a residence permit in Sweden, and the right to family reunification, has been in force. It was scheduled to expire in 2019, but in June 2019, the Parliament voted to extend it until July 2021, with some changes related to family reunification, which will make it possible again for people who are granted a residence permit as beneficiaries of subsidiary protection to reunite with their family members again, in a similar way as people with refugee status. The temporary act had originally been adopted in reaction to the extraordinary refugee situation in 2015.

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).

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).

### **3.2 Political and institutional developments**

2018 was an election year in Sweden, and migration, asylum and integration issues figured prominently among the main topics discussed during the electoral campaign. General, regional and municipal elections were held on 9 September 2018. A new national government took office on 21 January 2019. As during the previous electoral term, Sweden is now governed by the Social Democratic Party and the Green Party, but unlike before, the new government also relies on an agreement with the Centre Party and the Liberal Party to cooperate on the state budget and the direction of policy in several areas. Mr Stefan Löfven was elected Prime Minister again, and Mr Morgan Johansson was appointed Minister for Justice and Migration. Both politicians are from the Social Democratic Party.

According to the Statement of Government Policy<sup>20</sup> that the Prime Minister made in Parliament in January 2019, several reforms are planned as regards immigration and asylum policy. Apart from the extension of a temporary act, as mentioned above, the government intends to introduce a language requirement for foreigners to become Swedish citizens. According to the Prime Minister, the right of asylum must be safeguarded in Sweden, in Europe and internationally, and the government intends to work to establish a common asylum system in the EU that distributes the reception of refugees fairly and proportionately. He also said that those with grounds for protection must rapidly become a part of society, and those without such grounds must return promptly.

There were no major institutional changes in 2018, but at the beginning of 2018, the administration and payment of introduction benefits for newly arrived refugees, other beneficiaries of protection and their family members, who participate in integration measures, was transferred from the Public Employment Service (*Arbetsförmedlingen*) to the Social Insurance Agency (*Försäkringskassan*).

### **3.3 Overall developments and debates concerning asylum and migration**

#### *Consequences of the high number of asylum seekers coming to Sweden in 2015*

In 2018, many public and political debates regarding immigration to Sweden still related to the consequences of the refugee situation in autumn 2015. In 2015, the number of asylum seekers had reached the record level of almost 163 000 people applying for protection. Issues that were frequently raised in public debates touched upon the integration of those asylum seekers that had come to Sweden in earlier years. The high number new arrivals to be integrated also revealed shortages of staff and resources at municipal level and certain national authorities and agencies as well as the Migration Courts.

While the backlog of asylum cases that had been pending for a long time at the Swedish Migration Agency was significantly reduced and almost disappeared during 2018, there were still bottlenecks and long wait times at the Migration Courts, which are responsible for deciding on appeals of negative first-instance asylum decisions.<sup>21</sup> There were also challenges regarding the return of rejected applicants, both regarding voluntary returns (managed by the Migration Agency) and forced returns (carried out by the Police Authority). The number of return cases had increased as a consequence of the high asylum-seeker intake in 2015.

Capacity problems were also visible in other areas of operation of the Migration Agency, such as family reunification cases and applications for naturalisation.

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<sup>20</sup> Government of Sweden (2019): Statement of Government Policy, 21 January 2019, <https://www.government.se/48f689/globalassets/government/dokument/regeringskansliet/statement-of-government-policy-20192.pdf>.

<sup>21</sup> [Rekordlånga handläggningstider i asylmål](#), Sveriges Radio, 20 May 2019.

The temporary act to restrict the possibility of being granted a residence permit for protection purposes in Sweden, and the right to family reunification, which had entered into force on 20 July 2016, also prompted controversial debates, especially as regards the question whether the law needed be extended or abandoned once it was set to expire (in July 2019). Several civil society organisations, such as the Swedish Red Cross, published statements and reports that urged the government to return to a more generous approach to family reunification and to grant beneficiaries of international protection permanent residence permits again, instead of permanent ones.<sup>22</sup> Other actors, and certain political parties argued that Sweden needed to keep the temporary restrictions.

### *Unaccompanied minors and asylum seeking youth*

A major topic of debate in 2018 was how Sweden had dealt with the many unaccompanied minors and youth, especially from Afghanistan, who had come to Sweden in 2015 and before. As a result of long asylum processing times at the Swedish Migration Agency, many of these unaccompanied minors came of legal age in 2016 and 2017.<sup>23</sup> Unaccompanied minors cannot be returned if there is no orderly reception in the country of origin, but single male adults from Afghanistan are often rejected and ordered to leave.<sup>24</sup> This means that many Afghan asylum seekers who were initially registered as 16 or 17 years old unaccompanied minors might have been granted a residence permit if their cases had been handled quickly. Instead, as processing times stretched over long periods of time as a consequence of the refugee situation in 2015, many became single adults in 2017 and 2018 and were rejected. Several human rights groups and large parts of civil society as well as politicians therefore demanded an amnesty for this group.

In July 2018, legal amendments to a temporary act (2016-2019) restricting the possibility of being granted a residence permit for protection purposes in Sweden, and the right to family reunification, entered into force. These amendments meant that a limited group of unaccompanied young migrants, who had received, or would otherwise have received, an expulsion order, could be granted residence permits for studies at upper secondary schools, under certain circumstances. This measure was intended to regularise the situation of several thousand young unaccompanied asylum seekers within the above-described group. During 2018, around 4 900 individuals were granted temporary permits under this “upper secondary school act” (*gymnasielagen*).<sup>25</sup> An additional 2 000 persons were granted such permits during the first six months of 2019. Thus, this act benefitted

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<sup>22</sup> Linda Beskow (2018): *Humanitära konsekvenser av den tillfälliga utlänningslagen*, Svenska Röda Korset, Stockholm.

<sup>23</sup> The average processing time (first instance) for asylum cases involving Afghan nationals was 636 days in 2017.

<sup>24</sup> The asylum recognition rate for Afghans (first instance) was 38% in 2017.

<sup>25</sup> Migrationsverket (2019): *Beviljade uppehållstillstånd 2018*.

significantly more people than an earlier, similar, measure adopted in 2017, which had only resulted in around 160 youth being issued a residence permit.

As in 2017, the Swedish approach to asylum seekers from Afghanistan was even debated in more general terms throughout 2018, i.e. not only in relation to minors and young people. The Swedish Migration Agency, but also the Migration Courts, received criticism from civil society for its decision-making practice regarding Afghans. Among other issues, it was argued that Afghans had better chances of receiving protection in other EU countries.<sup>26</sup> The press also highlighted cases in which rejected Afghans had left Sweden and applied for asylum again in other EU countries, mainly France.<sup>27</sup>

There was also a discussion around the role of, and methods used for, assessing the age of young unaccompanied asylum seekers as part of the asylum process in Sweden. The methods and criteria used by the National Board of Forensic Medicine were criticised, also in the scientific community.

### *Reform of the Common European Asylum System*

Another frequent topic of debate in 2018 was the political process to reform the Common European Asylum System, including the Dublin regulation, and the consequences of the possible outcomes of this reform process for the reception of asylum seekers in Sweden. The Swedish Government argued for a more balanced responsibility-sharing for the reception of asylum seekers among the Member States.<sup>28</sup> In a newly updated factsheet, it declared that “solidarity and greater harmonisation are priority issues for Sweden. The EU’s future asylum system must provide legal certainty and sustainability, protect the right of asylum and at the same time achieve a more equal distribution of asylum seekers between Member States. Sweden will continue to be a strong and important voice in Europe to protect the right of asylum and vulnerable groups.”<sup>29</sup>

### *“Talent expulsions”*

Another recurring topic in 2018 were reports about labour immigrants losing their residence permits in Sweden and being expelled because their employers violated the conditions for employing workers from third countries. Even minor breaches, such as a monthly salary not being fully in line with collective agreements or insufficient insurance coverage of workers, could lead to expulsions. Already in 2017, the Swedish Migration Agency had been criticised for being narrow-minded or pedantic regarding in its interpretation of the existing rules.<sup>30</sup> As even urgently

<sup>26</sup> [Sverige nu strängast för afghaner bland EU:s största mottagarländer](#), SVT Nyheter, 25 November 2018.

<sup>27</sup> [Under det här pingisbordet i Paris sover tio svensk-talande afghaner](#), SVT Nyheter, 25 November 2018.

<sup>28</sup> [Sverige redo kompromissa om EU:s asylpolitik](#), Europaportalen, 5 December 2018.

<sup>29</sup> Government Offices of Sweden, Ministry of Justice (2019): [Sweden’s migration and asylum policy](#), Fact sheet, June 2019.

<sup>30</sup> [“Kompetensutvisningar kan stoppas i september”](#), Svenska Dagbladet, 10 August 2017.



needed high-qualified specialists, e.g. in the IT business, were among those losing their right to stay, the debate circled around the term “talent expulsions” (*kompetensutvisningar*).<sup>31</sup>

In this context, the Swedish Migration Court of Appeal had set a precedent in December 2017, which – in 2018 – had consequences for the Migration Agency’s decisions regarding extensions of work permits. The precedent introduced an “overall assessment” when determining if the conditions of employment were met during the previous term of employment.<sup>32</sup> Previously, a stricter assessment was made.

#### *Border control and id-checks*

In response to the extraordinary refugee situation in the autumn of 2015, Sweden had reintroduced temporary border controls at internal Schengen border crossing points on 12 November 2015. This measure continued to trigger some debate even in 2018, as the temporary controls were prolonged at several points in time and remained in place throughout the year.<sup>33</sup>

On another note, debates also arose around the fact that Sweden received criticism from the EU regarding the control of its external borders (mainly at international airports). According to Swedish Broadcasting, a Schengen evaluation revealed that Sweden did not fully satisfy a number of EU requirements, such as in relation to the use of risk indicators and the education and training of border police staff.<sup>34</sup>

#### *Integration policies and rights of immigrants*

Challenges regarding the integration of new arrivals in Sweden, such as the lack of affordable housing in many regions and municipalities, challenges with regard to labour market integration, and the situation of immigrant children in schools, were also discussed frequently in public and media debates. The fact that 2018 was an election year probably contributed to such issues being highlighted and receiving more attention than in earlier periods. Integration was also much debated in a broader context as well as in relation to crime and cultural aspects, such as the right of Muslim communities in Sweden to publicly call to prayer.<sup>35</sup>

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<sup>31</sup> [Kompetensutvisningarna ett nationellt självskadebeteende](#), Expressen, 12 July 2018.

<sup>32</sup> Migrationsverket (2018): Rättslig kommentar angående bedömning av anställningsvillkor enligt 6:2 utlänningslagen för ansökan om förlängning av uppehålls- och arbetstillstånd på grund av arbete (MIG 2017:24 och MIG 2017:25).

<sup>33</sup> [Polisen om nya gränskontrollerna: Läget har förändrats](#), SVT Nyheter, 29 June 2018.

<sup>34</sup> [Gränskontroller totalsågas av EU](#), Sveriges Radio, 22 October 2018.

<sup>35</sup> [Police allow Muslim call to prayer at mosque in Växjö](#), Radio Sweden, 8 May 2018.



## 4 LEGAL MIGRATION AND MOBILITY

### 4.1 Economic migration

#### *Labour immigration (employees)*

The number of third-country nationals coming to Sweden as labour migrants increased significantly in 2018, as compared to the year before and earlier years. Sweden granted 41 048 first-time residence permits for work-related reasons. This number had been 32 294 in 2017 and 24 709 in 2016.

These broad figures include not only persons coming to Sweden because they found employment there (21 489 in 2018), but also their family members (15 372) as well as some self-employed people (135), visiting researchers (1 155) and people who work in Sweden under special rules, e.g. as au pairs, trainees, artists or sportsmen (2 897).

Table 2 shows the overall development regarding labour immigration to Sweden for the five-year period 2013-2017. The number of incoming employees decreased in 2016 and then increased significantly. Immigration for self-employment purposes has been very modest in size over many years, and the year 2018 was no exception.

**Table 2: Labour immigration to Sweden, 2014-2018**

Broad category	2014	2015	2016	2017	2018
Employees	12 521	13 789	12 985	16 178	21 489
Family members of labour immigrants	9 698	10 023	8 628	12 233	15 372
Self-employed	233	306	174	221	135
Visiting researchers	1 126	1 083	907	1 222	1 155
Work in Sweden under special rules	1 992	1 797	2 015	2 440	2 897
<b>Total</b>	<b>25 570</b>	<b>26 998</b>	<b>24 709</b>	<b>32 294</b>	<b>41 048</b>

**Source:** Swedish Migration Agency.

Since 2008, Sweden has pursued a liberal and demand-driven approach to immigration of third country nationals for employment purposes. With the 2008 reform, the previous agency-based labour market test was phased out. Since then, the overall point of departure has been that it is the individual employer who best knows the recruitment needs of his or her business. The possibility to recruit foreign workers has been significantly facilitated. Provided that the working

conditions are in line with Swedish collective agreements or established practice and that certain additional conditions are met, the employer can in principle recruit anyone, regardless of nationality or profession. The existing rules also provide opportunities for migrants to get a permanent residence status after four years of stay with a work permit in Sweden.

Table 3 shows the ten main occupational categories among incoming workers from third countries in 2017 and 2018. These figures are based on the number of work permits granted. There are certain differences between the number of immigrants who have received a residence permit for work reasons as employees (21 489 in 2018, as mentioned above) and the number of work permits issued during the same year (20 841). The main reason for this is that in some cases, an immigrant will need a work permit to work in Sweden, but not a residence permit, while in other cases, a residence permit is needed, but the person is exempted from the requirement to have a work permit.

The number of work permits issued in 2018 shows an increasing trend over all main (top-10) occupational groups among labour migrants. This is true for occupations requiring high skills (such as IT architects and engineering professionals) but also for a number of low-skilled jobs (berry pickers, cleaners). Over a longer period of analysis, it can be observed that the number of incoming labour migrants with high skills has grown more than the number of people working in low-skilled jobs, however.

**Table 3: Work permits granted, 2017 and 2018, 10 main occupational groups**

	2017	2018
Berry pickers and planters	3 043	4 882
IT architects, systems analysts, and test managers	4 029	4 415
Engineering professionals	1 082	1 249
Fast-food workers, food preparation assistants	781	1 117
Cooks and cold-buffet managers	849	1 085
Cleaners and home service personnel	513	688
Physical and engineering science technicians	431	656
Carpenters, bricklayers, and building frame workers	240	653
Operations, support, and network technicians	246	480
Forestry workers	257	327
<b>Others</b>	<b>4 081</b>	<b>5 289</b>
<b>Total</b>	<b>15 552</b>	<b>20 841</b>

**Source:** Swedish Migration Agency.

The most common nationality groups engaging in labour market-related migration to Sweden in 2018 were Thailand (5 148), India (4 966), Ukraine (1 027), China

(928) and Turkey (708). Indian nationals often work in the Swedish IT sector and Thai nationals in the seasonal berry-picking business.

**Table 4: Residence permits granted for work purposes (all categories, including family members), 2014-2018, top-10 nationalities**

	2014	2015	2016	2017	2018
India	5 573	5 896	6 818	8 483	9 600
Thailand	3 062	4 341	3 616	3 512	5 257
China	2 151	1 868	1 689	2 226	2 322
USA	728	1 521	982	1 250	2 120
Ukraine	833	931	846	1 255	2 016
Iraq	912	826	690	1 162	1 427
Turkey	1 181	1 211	924	1 406	1 386
Pakistan	632	652	485	847	987
Iran	744	673	513	801	985
Mongolia	340	514	619	677	937
<b>Other</b>	<b>9 415</b>	<b>8 570</b>	<b>7 528</b>	<b>10 675</b>	<b>14 011</b>
<b>Total</b>	<b>25 571</b>	<b>27 003</b>	<b>24 710</b>	<b>32 294</b>	<b>41 048</b>

**Source:** Swedish Migration Agency.

#### *Legal and practical changes to the Swedish labour immigration system*

In recent years, the current Swedish system for labour immigration was often been criticised for not sufficiently preventing untrustworthy employers from exploiting foreign workers. Over the years, stricter requirements for certain businesses were introduced to prevent such problems. In turn, the Migration Agency also developed a certification system for trusted employers that frequently recruit workers from abroad. This system was further developed in 2018. A certification is an agreement between an employer and the Swedish Migration Agency that allows faster processing. The agreement entails that the employer submits a complete application via the web and the Swedish Migration Agency makes a decision within 20 business days. The three most common occupational groups within the certification system are IT-architects and related professions, civil engineers, and engineers as well as technicians.

Since 1 August 2018, a new online portal ([www.workinginsweden.se](http://www.workinginsweden.se)) provides information about the Swedish labour market in a clear and easily accessible digital format. The portal was developed by the Swedish Institute and constitutes a collection of information from several public authorities and agencies for those who wish to go to Sweden for work or run a business.

As a measure to better detect illegal work, new legislation on workplace inspections entered into force in July 2018. This has given the Police Authority extended rights to conduct workplace inspections, based on risk assessments, in sectors where there is an elevated risk of individuals working without the necessary work or

residence permits. The aim is to prevent unsound employers from exploiting irregular migrants.

Also in 2018, Sweden signed a new Working Holiday Agreement with Uruguay. A working holiday agreement implies that citizens of certain countries, aged between 18 and 30, can apply for a permit that allows them to live and work in Sweden for up to one year. They do not need a job offer when applying for a permit. Sweden has several such agreements in place with selected third countries (Argentina, Australia, Chile, Hong Kong, Canada, New Zealand, South Korea and Uruguay).

As regards EU legislation on the admission of workers from third countries, Sweden implemented the EU Directive on intra-corporate transfers<sup>36</sup> and the EU Seasonal Workers Directive<sup>37</sup> in 2018. The first directive applies to persons from a country outside the EEA and Switzerland, who are to serve as managers, specialists or trainees at a company that is established in Sweden within the same corporate group as the host company. The other directive is used for persons from a country outside the EU / EEA and Switzerland who are to work in Sweden as seasonal workers, for a company that is represented in Sweden.

As mentioned above under "Overall developments and debates concerning asylum and migration", there was a debate, in 2018 and before, regarding third country nationals who had their residence and/or work permits revoked or not extended because of minor violations by their employers of the legal requirements regarding employment-related immigration, such as insufficient insurance payments or too low salaries ("talent expulsions"). In December 2017, the Migration Court of Appeal set a precedent, which – in 2018 – had consequences for the Swedish Migration Agency's decisions regarding extensions of work permits. The precedent introduced an "overall assessment" when determining if the conditions of employment were met during the previous term of employment. Previously, a stricter assessment was made.

## **4.2 International students and visiting researchers**

### *Third-country national students*

Migration to Sweden for study reasons is generally seen very positively, not least because international students contribute to the internationalisation of the Swedish higher education system and help to make Sweden known abroad. Between 2005 and 2010, study-related immigration increased strongly and steadily. In 2011, the number of third-country nationals who were granted residence permits for study

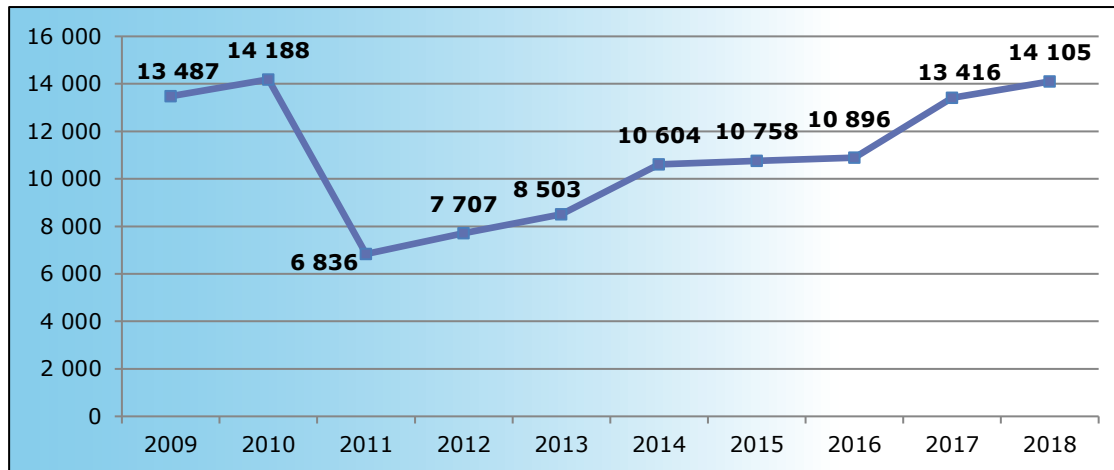
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<sup>36</sup> Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer.

<sup>37</sup> Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

reasons fell sharply, mainly due to the introduction of tuition fees for incoming third-country students. Since 2012, however, the numbers have been rising again. In 2018, a total of 14 105 residence permits were granted for study reasons, including doctoral studies and accompanying family members of international students. This means that the gap between 2010 and numbers for subsequent years has now almost closed.

**Figure 3: First-time residence permits granted for study reasons (including accompanying family members), 2009-2018**



**Source:** Swedish Migration Agency.

As Table 5 shows, the by far most important nationality group among international students in Sweden over the past five years has been Chinese. The second and third largest nationalities in 2018 were India and Pakistan.

**Table 5: First-time residence permits granted for study reasons, top-10 nationality groups, 2014-2018**

	2014	2015	2016	2017	2018
China	2 081	2 339	2 327	2 466	2 201
India	917	1 005	1 218	1 577	1 858
Pakistan	635	943	849	952	1 039
Iran	300	330	350	653	1 029
USA	628	543	572	884	937
Bangladesh	821	804	752	874	772
Singapore	385	389	357	416	381
Turkey	416	420	408	384	361
Canada	386	306	308	395	347
Japan	351	373	329	330	342

**Source:** Swedish Migration Agency

*Possibilities for international students to remain in Sweden to look for work*

There was an important policy change regarding international students in 2014, which started having some impact in 2015 and subsequent years. Students who have carried out studies at a Swedish higher education institution for at least two

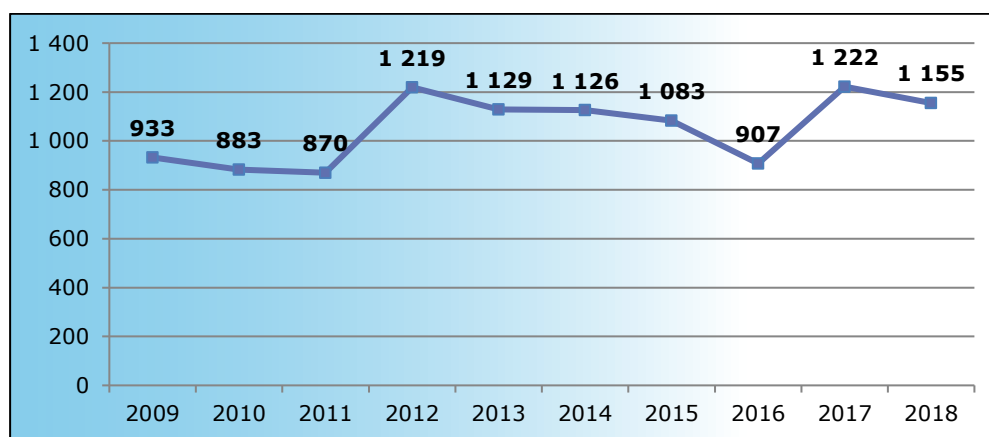
terms can now receive a residence permit for the purpose of looking for employment or investigating opportunities to start a business. According to a provision in the Aliens Ordinance, this permit can be valid for a maximum of six months. Since this amendment took effect, almost 2 100 third country nationals who previously had a residence permit for studies in Sweden received a new residence permit to stay and look for work. 122 such permits were granted in 2014, 334 in 2015, 445 in 2016, 562 in 2017, and 644 in 2018. The period of validity of the job-seeker permit is expected to be extended from six to nine months once the EU's Students and Researchers Directive<sup>38</sup> is implemented in Swedish law. A related legislative proposal was being prepared in 2018 and is expected to enter into force in 2019.

The stay of international students is increasingly related to the immigration of labour migrants. Among all third-country nationals that were granted a residence permit for work purposes in 2018 (as analysed in the previous section of this report), 901 were former students at Swedish universities and university colleges. This figure was 778 in 2017.

### Researchers

In addition to international students, Sweden also admits researchers under the EU Researchers' Directive.<sup>39</sup> Their number reached a relatively high level in 2012 (1 219) but has been declining since. In 2016, 907 third-country nationals were granted a permit as researchers. In 2017, the trend turned upward again, with 1 222 permits granted. In 2018, 1 155 researchers' permits were issued. Statistically, visiting researchers are not included in the above-mentioned data on students; they are instead included in the data on labour immigrants.

**Figure 4: First-time residence permits granted to researchers, 2009-2018**



**Source:** Swedish Migration Agency

<sup>38</sup> Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing.

<sup>39</sup> Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research.

### 4.3 Family reunification

Immigration on the basis of family ties has for many years accounted for a large share of overall immigration flows to Sweden. In total, if we look at the reunification of family members in Sweden, family formation, adoptions, and also include accompanying family members of labour immigrants or incoming foreign students, family-related migration stood for more than 51% of all first-time residence permits granted in 2018. This percentage was 48% in 2017. In absolute numbers, Sweden issued 68 058 residence permits for family reasons in 2018 (all categories included), compared to roughly 65 700 the year before.

Compared to previous years, this share of family-related immigration was rather high, both in 2017 and 2018. Back in 2016, family-related grounds represented only 34% of all permits granted in 2016. An important reason behind this development is that the year 2016 was special in the sense that a very high percentage of all permits granted that year were for protection reasons. Many asylum seekers had come to Sweden back in 2014 and 2015, and many were then granted a permit in 2016.

#### *Stricter financial support requirements for family reunification*

Over recent years, Sweden tightened the rules for some categories for family-related migration. In 2010, a financial support requirement was introduced in the Aliens Act as a condition for family reunification. According to this requirement, the sponsor (i.e. the person that wants a person residing abroad to join him/her) has to show sufficient income to support himself/herself. He/she also needs to have suitable accommodation for the family members who want to settle in Sweden. Several exemptions from this requirement remained, however.

In 2016, the Parliament adopted a temporary law restricting the possibility of being granted a residence permit for protection purposes in Sweden, and the right to family reunification. It was planned to be valid until 19 July 2019, but was extended until July 2021. Regarding financial support requirements, the temporary law demands that the sponsor in Sweden (who wants to be reunited or joined by family members) must not only be able to support him-/herself but also his or her family members.<sup>40</sup> This was a significant change as before, sponsors only needed to prove that they could support themselves.

#### *Family reunification for beneficiaries of subsidiary protection*

The same law also states that refugees and persons eligible for subsidiary protection in Sweden will be granted temporary residence permits instead of permanent permits (which is the main rule under the Aliens Act). Refugees who

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<sup>40</sup> The maintenance requirement will not apply, however, if the sponsor is a child. In addition, family members of beneficiaries of international protection are also exempt from the maintenance requirement if the family member applies for family reunification within three months of the date when the beneficiary of protection obtained his/her residence permit.



are granted temporary residence permits under the temporary law and who are deemed to have well-grounded prospects of obtaining a permanent residence permit will continue to have a right to family reunification with their spouse, cohabitant and/or minor children, and children who are refugees will have a right to reunification with their parents. By contrast, a beneficiary of subsidiary protection who submitted his/her asylum application after 24 November 2015 had no right to family reunification until 20 July 2019, when this restriction was lifted again. Beneficiaries of subsidiary protection now have a right to family reunification again in the same way as refugees.

In October and November 2018, the Swedish Migration Court of Appeal made interesting rulings on the right of beneficiaries of subsidiary protection to family reunification under the temporary act. In one case, the Court clarified the assessment of the likelihood to be granted a permanent residence permit for a person in need of subsidiary protection, thereby granting the right to family reunification.<sup>41</sup> In the other case, the Court stated that a decision to deny family reunification to the family of an unaccompanied minor (age 8) would be in violation of article 8 of the European Convention on Human Rights and the best interest of the child.<sup>42</sup>

On 5 March 2018, the Migration Court of Appeal ruled that caution must be taken before a refugee's family members are referred to the authorities of their home country to obtain identity documents. The Court therefore granted evidentiary alleviation of the burden of proof regarding the family members' identities, thus strengthening the right to family reunification, with particular impact on Eritrean nationals.<sup>43</sup>

#### *Numerical trends in 2017-2018*

In 2018, the Swedish Migration Agency and Migration Courts granted 44 861 first-time residence permits for family reunification and family formation purposes, which means a decrease by roughly 6% compared to 2017, when approximately 48 000 such permits were issued. These numbers include family reunification and family formation in general, family members of refugees and other persons with international protection status, adopted children, and children of third-country nationals with permanent residence status in Sweden. Conversely, accompanying family members of labour immigrants or foreign students and third-country nationals who were granted a residence permit as family members of EU citizens or persons with long-term residence rights in other EU Member States are not included. All categories are, however, shown separately in Table 6.

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<sup>41</sup> MIG 2018:19, 18 October 2018.

<sup>42</sup> MIG 2018:20, 13 November 2018.

<sup>43</sup> MIG 2018:4, 5 March 2018.



**Table 6: First-time residence permits granted for family reasons, main categories, 2014-2018**

Nationality	2014	2015	2016	2017	2018
Adoptions	221	155	129	83	72
Family members of refugees and other beneficiaries of protection	13 100	16 251	15 148	19 124	16 627
Family reunification and family formation in general	18 079	15 637	16 472	18 989	18 820
Children (of foreign parents) born in Sweden	4 565	5 236	7 278	9 850	9 342
<b>Total</b>	<b>35 965</b>	<b>37 279</b>	<b>39 027</b>	<b>48 046</b>	<b>44 861</b>
<i>Family members of labour immigrants</i>	<i>9 698</i>	<i>10 023</i>	<i>8 628</i>	<i>12 233</i>	<i>15 372</i>
<i>Family members of international students</i>	<i>1 337</i>	<i>1 348</i>	<i>1 425</i>	<i>1 842</i>	<i>2 418</i>
<i>Family members of third-country nationals with long-term resident status in other EU Member States</i>	<i>606</i>	<i>740</i>	<i>1 184</i>	<i>1 606</i>	<i>3 176</i>
<i>Third-country nationals who are family members of EU/EEA citizens or Swiss citizens</i>	<i>908</i>	<i>985</i>	<i>1 672</i>	<i>1 829</i>	<i>1 976</i>
<b>Grand Total</b>	<b>48 514</b>	<b>50 375</b>	<b>51 936</b>	<b>65 677*</b>	<b>68 058*</b>

**Source:** Swedish Migration Agency.

\* The Grand Total also includes a small number of other family-related permits, which do not fall into any of the main categories.

The most frequent nationality groups among the persons immigrating for family reasons<sup>44</sup> in 2018 were Syria, Somalia, Iraq, and stateless persons.

**Table 7: First-time residence permits granted for family reasons, top-10 nationality groups, 2014-2018**

Nationality	2014	2015	2016	2017	2018	Total 2014-2018
Syria	5 923	10 129	10 214	12 788	11 005	50 059
Iraq	3 482	2 859	2 594	2 823	2 525	14 283
Somalia	1 454	1 537	2 405	3 913	4 567	13 876
Eritrea	3 150	2 600	2 497	3 155	1 824	13 226
Thailand	2 015	1 753	1 371	1 709	2 450	9 298
Afghanistan	1 651	1 474	1 460	1 912	1 719	8 216
Stateless	968	1 576	1 453	2 114	1 881	7 992
Unknown	1 543	1 179	1 404	1 484	1 354	6 964
Iran	702	790	769	928	1 029	4 218
China	620	565	681	1 064	1 047	3 977
<i>Other</i>	<i>14 452</i>	<i>12 800</i>	<i>14 159</i>	<i>16 156</i>	<i>15 460</i>	<i>73 027</i>
<b>Total</b>	<b>35 960</b>	<b>37 262</b>	<b>39 007</b>	<b>48 046</b>	<b>44 861</b>	<b>205 136</b>

**Source:** Swedish Migration Agency.

<sup>44</sup> Excluding family members of labour immigrants, of international students, of third-country nationals with long-term resident status in other EU Member States and of EU/EEA citizens or Swiss citizens

#### 4.4 Citizenship and naturalisation

Regarding the acquisition of Swedish citizenship, no major political developments can be reported for 2018, and the Swedish Citizenship Act remained largely unchanged although a minor clarification was made regarding the acquisition of Swedish citizenship of small children that are adopted under the rules of other countries.

##### *Statistical trends*

The number of applications for Swedish citizenship has been increasing over recent years. In 2018, around 20% more applications were received than during 2017. The main nationality group applying for Swedish citizenship has been Syrians, who in 2018 represented approximately one third of all applications. The strong increase regarding the acquisition of Swedish citizenship can be seen as a result of increased immigration to Sweden, not least by refugees and other beneficiaries of international protection, during earlier years.

In 2018, the Swedish Migration Agency received 58 869 applications for citizenship (naturalization), which compares to 50 950 during the previous year. 41 410 applications for naturalization were decided in 2018, which is a lower number than in 2017 (43 817), despite the increasing number of incoming applications. Handling times have recently been very long. The grant rate in 2018 was 87%, exactly as in 2017. This means that roughly 36 000 individuals became Swedish nationals by naturalization in 2018. Another 15 000 people acquired Swedish citizenship by registration, which is a simplified procedure for certain groups of immigrants.

After Syrians, the largest groups among those who acquired Swedish citizenship in 2018 were people from Somalia, stateless people, Iraqis and Afghans. Most immigrants can become Swedish citizens after five years of legal residence, but for persons with refugee status and stateless people four years are normally sufficient.

#### 4.5 Visa Policy and Schengen co-operation

Regarding the issuing of short-term visas for third-country nationals who want to visit Sweden for a limited time for tourism purposes, visiting family members or business activities, there were no significant new developments in 2018.

Sweden issued 216 603 Schengen visas (mostly type-C visas) in 2018, almost exactly the same number as in 2017. Most Schengen visas were granted for tourism purposes (roughly 102 000), followed by visas issued for family reasons (72 200) and business purposes (48 000). Most Schengen visas in 2018 were issued to Chinese, Indian and Russian travelers.

In addition to Schengen visas, approximately 3 200 national (type-D) visas were issued. Schengen type-C visas allow the holder a stay of up to 90 days within a period of 6 months for purposes such as tourism, family visits or business. National type-D visas as well as temporary residence permits are used, for example, when the reason for travelling to Sweden does not match any of the travel purposes outlined in the EU Visa Code, or when a foreign national wishes to stay in Sweden for more than 90 days.

### *Schengen borders*

At two occasions in 2018 (March and November), the Swedish Government decided to prolong the temporary controls at Sweden's internal Schengen borders. They were originally introduced in November 2015, in response to the extraordinary asylum situation at the time, which according to the Government posed acute challenges to vital functions of society. When the government decided to prolong the controls in November 2018, it argued that there was still a threat to public order and internal security in Sweden, and that the Swedish Security Service had assessed the risk of terrorist threats as elevated. The government also said that there were deficits regarding controls at the Schengen area's external borders, which made controls at Sweden's internal borders necessary.<sup>45</sup>

## **5 INTERNATIONAL PROTECTION**

After the extraordinary asylum situation in 2015, when almost 163 000 people applied for asylum in Sweden, the number of new asylum applicants was much lower over subsequent years, including 2018. During 2018, 21 502 lodged an asylum application in Sweden. This represents a decrease by 4 164 individuals compared to 2017, or 16%. The number of asylum applicants in 2018 also represents the lowest annual number since 2005.

The number of first-instance asylum decisions decreased from 66 301 in 2017 to 35 512 in 2018. However, the fact that this number was still much higher than the number of new asylum applications made during the year indicates that the Migration Agency was deciding on several thousand asylum requests that had been made in previous years.

### *Legislative developments*

A temporary act that was adopted in 2016 and aimed at reducing the number of new asylum applicants in Sweden remained in place throughout the year 2018.<sup>46</sup> Most importantly perhaps, it introduced temporary residence permits for beneficiaries of international protection (instead of permanent permits), restricted

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<sup>45</sup> [Fortsatt gränskontroll vid Sveriges inre gräns](#), Government Offices of Sweden, 8 November 2018.

<sup>46</sup> For an overview, please see Swedish EMN Annual Reports on Migration and Asylum for 2015 and 2016, available at [www.emnsweden.se](http://www.emnsweden.se), and Migrationsverket (2018): The changing influx of asylum seekers in 2014-2016: Member States' responses - Country Report Sweden.

humanitarian grounds for residence in Sweden, and narrowed family reunification entitlements.<sup>47</sup> On 1 July 2018, legal amendments to this temporary act entered into force. These amendments meant that a limited group of unaccompanied young migrants, who had received, or would otherwise have received, an expulsion order, could be granted residence permits for studies at upper secondary schools, under certain circumstances (please see below under “Unaccompanied minors”).

### *Non-legislative developments*

In 2018, a pilot project was launched at the Swedish Migration Agency with the aim of handling all asylum cases within 30 days. The aim of the project is to speed up and increase the efficiency of the asylum procedure, and to combine the accommodation of asylum seekers and the examination of their applications into one comprehensive process. The ambition is that 50% of the total asylum caseload are be managed within 30 days. This target was reached in December 2018. The pilot was called “Asyl360”, which symbolizes the pilot’s all-encompassing perspective and expresses that all departments within the Swedish Migration Agency shall focus on reducing the handling times on new asylum applications.

In 2018, there was a decrease in the number of asylum applications assessed as clearly unfounded and processed in accelerated procedure. This decrease was the effect of a judgment of the Court of Justice of the European Union (First Chamber, C-404/17). Since Sweden has not implemented parts of the EU’s Asylum Procedures Directive relating to a list of safe third countries, the Swedish Migration Agency may not refer applicants of international protection to protection by state authorities in their home countries, and based on that, assess related asylum applications as clearly unfounded. As a result, many such cases are now processed in a normal or, in some cases, prioritized asylum procedure, instead of accelerated procedures.

Since 1 February 2018, the Swedish Migration Agency has handled all new asylum applications digitally, which means that all information in an asylum case is found in the Agency’s IT-system for case management.

The Migration Agency also revised the information it provides to asylum seekers. The information now includes more detail on what kind of help asylum seekers can get if they have experienced physical or sexual violence. Moreover, information has been included concerning the fact that female genital mutilation is a crime. Information has also been added about the right of asylum seeking boys and girls to sexual education and contraception counselling. Finally, there is now information about the obligation to seek health care if a person believes that he or she has a venereal disease.

### *Appeals procedures*

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<sup>47</sup> Lag (2016:752) om tillfälliga begränsningar av möjligheten att få uppehållstillstånd i Sverige.

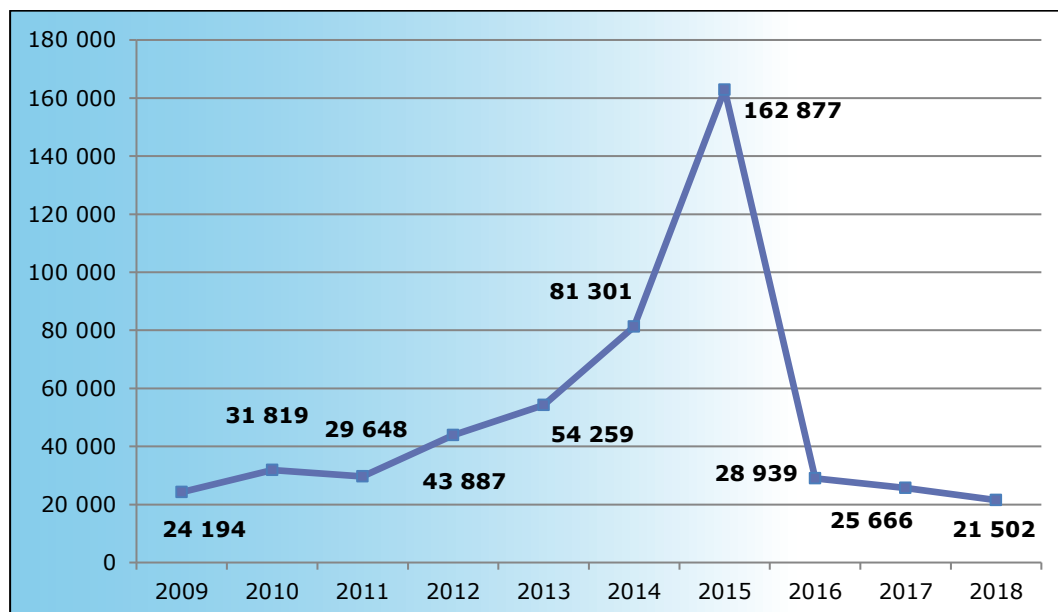
A legislative amendment from 2017, which made it possible for the migration courts in Sweden to submit open appeal cases to other administrative courts, has led to a larger number of court hearings during 2018. Many of these court hearings were conducted by videoconference, which means that the parties did not have to travel to the respective court. In cooperation with the Swedish National Courts Administration, the Swedish Migration Agency started a project to enable a digital transfer of appeals between the Agency and the courts.

## 5.1 Asylum applications

Throughout recent years, Sweden has been one of the principal destination countries for asylum seekers within the EU. In 2015, almost 163 000 applications were registered in Sweden. In 2016, the number of new asylum seekers decreased to 28 939 new applicants. At a slower pace, the decrease continued in 2017 and 2018, when 25 666 and 21 502 applications were counted, respectively.

Organised relocations of asylum seekers from Greece and Italy under the EU's emergency relocation schemes ended in January 2018, when a final transfer from Italy to Sweden was made (186 individuals).<sup>48</sup>

**Figure 5: Asylum seekers, 2009-2018**



**Source:** Swedish Migration Agency.

<sup>48</sup> Relocation is defined as the transfer of persons having applied for international protection from the EU Member State which is responsible for examining their application to another EU Member State where their applications for international protection will be examined. In the context of the EU emergency response system, relocation means the transfer of an applicant in clear need of international protection from the territory of the Member State initially indicated as responsible for examining their application for international protection to the territory of the Member State of relocation. Following transfer, the latter will become the Member State responsible for examining the application for international protection (see Art. 2(e) of Council Decision (EU) 2015/1523 and Art. 2(e) of Council Decision (EU) 2015/1601).

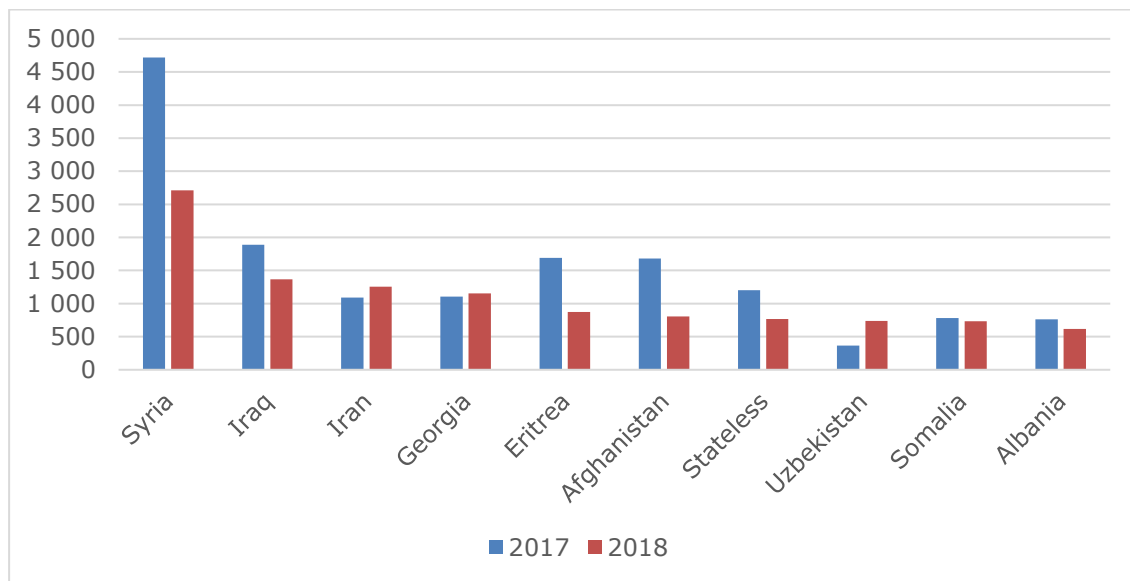
There is no single explanation for the notable decrease in the number of asylum seekers after 2015. Border closures in Southern, South-Eastern and Central Europe, the agreement between the EU and Turkey to stop irregular migration flows from Turkey to Greece, restrictive policy changes in various EU Member States, and attempts to stop irregular migration on the Central Mediterranean route (from Libya to Italy) have certainly contributed to this development, alongside the Swedish policy changes which, at times, included ID-checks on travellers, temporary intra-Schengen border controls, and measures to make Sweden less attractive as a destination country.

Syria was again the single largest country of origin of asylum seekers during the year 2018 (2 709 applicants), although the number of Syrians decreased from 4 718 individuals in 2017. Other main nationality groups were people from Iraq, Iran, Georgia and Eritrea. Afghanistan, which was an important country of origin in earlier years was only the sixth most frequent nationality in 2018. In fact, many major groups decreased in numbers, except people from Iran, Georgia and Uzbekistan. Table 8 and Figure 6 below display the main countries of origin of asylum seekers in 2018, compared to 2017.

**Table 8: Asylum seekers, main nationality groups, 2017-2018**

Citizenship	2017	2018	Change %
Syria	4 718	2 709	-43%
Iraq	1 887	1 369	-27%
Iran	1 090	1 257	15%
Georgia	1 105	1 156	5%
Eritrea	1 691	873	-48%
Afghanistan	1 681	805	-52%
Stateless	1 201	765	-36%
Uzbekistan	364	740	103%
Somalia	780	735	-6%
Albania	760	616	-19%
<i>Other</i>	<i>10 389</i>	<i>10 477</i>	<i>1%</i>
<b>Total</b>	<b>25 666</b>	<b>21 502</b>	<b>-16%</b>

**Source:** Swedish Migration Agency.

**Figure 6: Asylum seekers, main nationality groups, 2017-2018**

**Source:** Swedish Migration Agency.

## 5.2 Reception of asylum applicants

The Swedish reception system for asylum seekers is managed by the Migration Agency. While an asylum application is under consideration, the applicant is enrolled at a reception unit, which will help him/her with accommodation and expenses during the waiting period.

There are two different main types of accommodation:

- In many cases, accommodation is provided by the Migration Agency in an apartment in a normal housing area, rented by the Migration Agency anywhere in the country, or at a reception centre. This type of housing is called reception facilities (*anläggningsboende*, ABO).
- As an alternative to stay in ABO accommodation provided by the Migration Agency, an asylum seeker has the possibility to arrange his/her own accommodation, which is called *eget boende* (EBO). Since applicants usually do not have the financial means to pay rent, they often stay with friends or relatives in such cases.

By the end of 2018, a total of 52 547 were enrolled in the Swedish reception system for asylum seekers, which is a decrease by 31% compared to 2017, when 76 640 people were enrolled at the end of the year. Following a strong decrease in the number of asylum applications, the Migration Agency reduced its housing capacity and discontinued accommodation facilities, especially temporary ones. The Agency also downsized various other operations and reduced the number of branch offices across Sweden as well as the number of employees.



In 2018, roughly 55% of all enrolled asylum seekers had arranged their own accommodation, and about 41% relied on accommodation provided by the Migration Agency. This means a trend reversal, as in 2017 and earlier years, a majority (46%) stayed in accommodation provided by the Agency while 43% had arranged their own housing. The remaining 4% were accommodated in other, specialised facilities.<sup>49</sup>

### *Expected changes to the Swedish reception system*

Whether or not asylum seekers should be allowed to arrange their own accommodation and stay with family members or friends has often been debated in Sweden. On the one hand, staying with people who are already established in Swedish society can have positive effects on integration and self-reliance. On the other hand, the EBO system has been accused of leading to an unequal distribution of asylum seekers across Sweden as many individuals chose to live with family members in larger metropolitan areas. The EBO system can therefore contribute to segregation and overcrowded living conditions.

In November 2015, the Swedish Government commissioned an inquiry to propose measures to create a coherent system for the reception and settlement of asylum seekers and new arrivals in Sweden. In 2017, the Government issued supplementary terms of reference to this inquiry, extending its mission. Based on the proposals of the inquiry, which were presented in 2018,<sup>50</sup> the government proposed a reform of the accommodation system in 2019. While it does not aim to abolish EBO, the proposal aims to encourage asylum seekers to stay in areas where a socially sustainable reception is possible. This includes the introduction of disincentives for asylum seekers who chose to move to areas that are socio-economically challenged. Related changes to the Swedish reception system are expected to enter into force in early 2020.<sup>51</sup>

## **5.3 Asylum decisions**

In 2018, the Swedish Migration Agency made 35 512 first-instance decisions on asylum cases. This represents 46% fewer decisions than in 2017, when over 66 000 decisions were taken.

11 217 individuals were granted protection in 2018, compared to 27 205 in 2017. The overall protection rate was also lower in 2018 (32%) than in 2017 (41%). If Dublin cases and other asylum cases that Sweden did not examine materially, e.g.

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<sup>49</sup> Asylum seekers placed in specialised facilities include unaccompanied minors that are placed in childcare facilities or family homes, and asylum seekers that are placed in health care facilities or police arrests.

<sup>50</sup> Mottagandeutredningen (2018): Ett ordnat mottagande – gemensamt ansvar för snabb etablering eller återvändande, SOU 2018: 22.

<sup>51</sup> Regeringen vill ändra reglerna om eget boende för asylsökande, Government Offices of Sweden, 5 June 2019.



cases that were written off, are excluded from this calculation, the protection rate was 39% in 2018, compared to 47% in 2017, and 77% in 2016.<sup>52</sup>

5 993 individuals who received a positive decision in 2018 were granted refugee status in accordance with the Geneva Convention. This equals to 53% of all those granted protection (11 217). Another 3 984 persons received subsidiary protection (36%). In addition to these two main statuses, roughly 11% (1 240 individuals) received a permit on the basis of impediments to the enforcement of return obligations or – in relatively few cases – a humanitarian status due to “particularly distressing circumstances” or residence permits on other, exceptional grounds.

This means a continued trend reversal in the sense that compared to earlier years, the share of individuals receiving refugee status increased, while the percentage of persons with subsidiary protection shrunk. In 2016, refugee status was the outcome of only 25% of all positive decisions, and subsidiary protection constituted 70%. In 2017, the respective shares were 49% and 45%.

Table 9 below shows the distribution of positive and negative decisions for the ten quantitatively most important citizenship groups among all applicants who received a decision in 2018. Among these ten nationalities, Syrian and Eritrean nationals had the highest proportion of positive decisions, 84% and 75%, respectively. If one excludes cases in which the Swedish Migration Agency did not consider the application materially, for example due to the responsibility of another European country for the examination of the application (“Dublin cases”), then 98% of all Syrian applicants and 91% of all Eritrean applicants were granted protection. Another important nationality group with a relative high share of positive decisions was asylum seekers from Turkey, with a recognition rate of 55%. By contrast, citizens of Georgia were generally not found to be in need of protection.

**Table 9: First-instance decisions in asylum cases, main nationality groups, 2018**

Citizenship	Total number of decisions	Positive	Negative (after material consideration)	Negative (Dublin)*	Negative (other)**	Proportion positive decisions of all decisions
<b>Afghanistan</b>	7 408	2 348	4 726	69	265	32%
<b>Iraq</b>	4 356	1 001	2 867	143	345	23%
<b>Syria</b>	3 716	3 106	49	272	289	84%
<b>Iran</b>	2 218	771	1 188	119	140	35%
<b>Somalia</b>	1 479	565	610	152	152	38%
<b>Georgia</b>	1 260	5	824	34	397	0%

<sup>52</sup> Changing protection rates can be related to changing caseloads, changing travel routes, or otherwise changing circumstances.

<b>Turkey</b>	1 125	618	395	27	85	55%
<b>Stateless</b>	1 060	503	343	111	103	47%
<b>Eritrea</b>	1 051	790	77	94	90	75%
<b>Ethiopia</b>	656	210	355	46	45	32%
<b>Other</b>	11 183	1 300	6 474	1 357	2 052	12%
<b>Total</b>	<b>35 512</b>	<b>11 217</b>	<b>17 908</b>	<b>2 424</b>	<b>3 963</b>	<b>32%</b>

\* "Negative (Dublin)" means that the asylum examination is to be taken over by another State within the framework of the Dublin Regulation.

\*\* "Negative (other)" means that the Swedish Migration Agency has not considered the case materially because the application was written off. An application will be written off, among other reasons, when the applicant absconds or withdraws his/her application.

**Source:** Swedish Migration Agency.

### *Dublin procedures*

The number of asylum cases handled under the Dublin Regulation<sup>53</sup> decreased in 2018 as compared 2017, but only in absolute numbers. The share of Dublin cases among all asylum cases was in fact bigger in 2018 (about 15%) than in 2017 (13%). The higher share in 2018 is related to the fact that Sweden resumed requesting Greece to take charge/take back applicants in accordance with the Dublin Regulation and a recommendation by the European Commission. By contrast, Sweden did not execute any Dublin transfers to Hungary in 2018.

During the year 2018, the Migration Agency sent roughly 3 600 "take back" or "take charge" requests to other Dublin states. In 2017, the number of outgoing requests was around 3 700 cases.

While Sweden thus had somewhat fewer "outgoing" Dublin cases recently, there has been a notable increase regarding cases in which take back or take charge requests in accordance with the Dublin regulation were addressed to Sweden from other countries. Approximately 8 000 Dublin requests were received, roughly 400 more than in 2017.

The fact that Sweden now receives more requests than it sends to other countries is – at least to some extent – related to the fact that asylum seekers who were rejected in Sweden travelled on to other European countries to try to receive asylum there instead.<sup>54</sup>

The average processing time for outgoing Dublin cases in 2018 was 78 days, which is almost the same length of time as in 2017. In 2016, handling times were almost twice that long.

<sup>53</sup> Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.

<sup>54</sup> Migrationsverket (2019): *Arsredovisning 2018*, p. 63

## 5.4 Resettlement

Apart from being a major destination for persons seeking asylum, Sweden also engages in global resettlement efforts. Resettlement is considered a way of sharing responsibility with countries hosting large groups of refugees and to safeguard access to asylum for people in need of protection. Following a cross-party agreement of 2015, Sweden has gradually increased the number of places in its resettlement programme. While approximately 1 900 spots were available in 2016 and earlier, the annual quota was raised to 3 400 for 2017, and to 5 000 persons in 2018. Contrary to beneficiaries of protection that have come to Sweden as asylum seekers, resettled refugees are granted permanent residence permits.

Resettlement is regulated by the Aliens Act in which specific criteria are mentioned. The Act serves as the legal basis for resettlement selection and procedures. An annual spending authorization from the Swedish Parliament and an annual Government decision for the responsible authority, the Swedish Migration Agency, regulate the operation of the programme. The Migration Agency decides on the allocation of the places within the resettlement quota in consultation with UNHCR and after consultation with the Ministry of Justice.

The resettlement programme consists essentially of two streams: dossier processing and selection missions. Residence permits are granted to persons classified as refugees under the Aliens Act or as persons in need of subsidiary protection. Sweden resettles upon request from the UNHCR, and – in exceptional cases – from a Swedish embassy.

### *Resettlement in 2018*

In 2018, a total of 5 003 persons were transferred to Sweden under the national resettlement programme between 1 January and 31 December 2018. The geographical allocation of places was similar to that of 2017, with a main focus on selections in the MENA region (2 000), the Central Mediterranean route (800), and the Horn of Africa as well as East and Central Africa (1 100). Persons were also resettled from Asia, including 300 from Iran. 900 places were reserved for emergency and priority cases. A number of resettlement places within the Swedish quota were linked to EU commitments, such as the so-called "1:1 mechanism" under the EU-Turkey agreement or the "50,000 scheme" foreseen by a European Commission Recommendation of September 2017.<sup>55</sup>

The main nationalities resettled in 2018 were Syria, Eritrea and the Democratic Republic of the Congo. This distribution was similar to 2017, but both the number and the relative share of Syrians and Congolese refugees among the total number of people resettled to Sweden decreased. More resettled refugees came from Eritrea, Ethiopia, Afghanistan, Sudan and other countries.

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<sup>55</sup> Commission Recommendation of 27 September 2017 on enhancing legal pathways for persons in need of international protection, C(2017) 6504.

**Table 10: Resettlement, main nationalities 2017-2018**

<b>Citizenship</b>	<b>2017</b>	<b>2018</b>
Syria	2 606	2 392
Eritrea	619	668
DR Congo	803	628
Ethiopia	109	390
Afghanistan	285	347
Sudan	134	232
South Sudan	38	92
Central African Republic	11	85
Somalia	50	76
Mali	2	57
<i>Other</i>	<i>189</i>	<i>252</i>
<b>Total</b>	<b>4 846</b>	<b>5 219</b>

**Source:** Swedish Migration Agency.

## 5.5 Integration of persons who are granted protection

In 2018, 44 216 persons who had been granted a residence permit left the reception system for asylum seekers and were settled in a Swedish municipality. This figure is considerably lower than the corresponding figures for 2017, which was 68 751. The decline is mainly the result of a significantly lower inflow of asylum seekers to Sweden after the peak in 2015. The figure includes asylum seekers that were granted protection or residence permits for other (e.g., humanitarian) reasons, persons that were taken to Sweden under the Swedish resettlement programme, and family members of beneficiaries of international protection.

Since the settlement process still represents a challenge for many municipalities, especially as a result of the high number of newly arrived refugees in 2014 and 2015, many efforts were made at municipal, regional and national level, to improve the integration process for refugees and other newly-arrived migrants. On 1 March 2016, a new act for an effective and solidarity-based refugee reception system had entered into force in Sweden. It foresees that all municipalities within Sweden can be required to receive newly-arrived refugees and other beneficiaries of protection, as well as their family members, for settlement. Previously, the settlement of beneficiaries of protection was optional for municipalities, but this had created an unequal distribution of new arrivals across Sweden. Even under the new law of 2016, however, beneficiaries of protection may choose to arrange their own housing and decide by themselves where within Sweden to settle.

As regards integration, a new Act on the responsibility for the integration and establishment of newly arrived migrants entered into force on 1 January 2018. The new Act, which superseded an earlier Act on establishment initiatives for certain

newly arrived migrants, essentially means that the regulations for some new arrivals, when it comes to their establishment in society regarding work and social life, are harmonised with the regulations that apply to other (domestic) job-seekers to a greater extent than before. The harmonisation implies, among other things, that the provisions for establishment initiatives regarding work, as well as individual allowances for new arrivals, in greater detail are regulated through government regulations instead of by law.<sup>56</sup> Furthermore, the right of new arrivals to individual integration plans was removed and replaced with a referral to a labour market programme. Individually tailored integration measures for new arrivals now correspond to measures for other job seekers. Also, the processing and payment of the integration/establishment allowance has been moved from the Public Employment Service to the Social Insurance Agency.<sup>57</sup>

As of 1 January 2018, an education and training obligation for newly arrived immigrants participating in the Public Employment Service's (PES) introduction programme was introduced. This obligation implies that all newly arrived immigrants involved in the PES's introduction measures, and who are considered in need of education and training to find work, can be required to apply for, and undertake, education and training.

The Swedish government has also reformed the system of subsidised employment and introduced a new, uniform supportive measure – “introductory jobs” – that shall enable a more effective support for those with the greatest needs, both long-term unemployed and newly arrived immigrants.

In addition to these legal measures, the Swedish Government continued to prioritise reforms and measures to improve the integration of newly arrived beneficiaries of protection, in particular with regard to labour market integration, language acquisition and newly arrived students' and pupils' education. The following initiatives were launched, continued or stepped up in 2018:

- *Education and labour market participation*

Since 2018, it has been possible for municipalities and county councils to receive extra funding (government grants) for offering so called “extra jobs”. This is a certain type of subsidized employment for long-term unemployed people and newly arrived immigrants. It can be made available mainly by employers in the public sector, authorities and some non-profit sport associations, religious communities and cultural employers. The extra jobs have a state high subsidy of up to 100 percent in some cases.

Since 2016, the Public Employment Service (PES), the Swedish National Council for Adult Education and the folk high schools have been commissioned by the government to offer certain unemployed groups vocational education in occupations with shortages. It is available for long-term unemployed people

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<sup>56</sup> Government ordinance 2017:820 on establishment initiatives for certain newly arrived migrants.

<sup>57</sup> Government bill 2016/17:175.

who participate in the PES's Job and Development Guarantee Programme (since 2016) and newly arrived individuals participating in the PES's Introduction Programme (since 2018).

- *Integration of women*

The introduction programme for newly arrived immigrants is only open to beneficiaries of international protection and their immediate family members. In the budget bill for 2018, several new measures for labour market integration of foreign-born women were introduced and others received additional funding. These measures included funding to municipalities to offer newly arrived migrants on parental leave language and introduction courses with child care; increased funding to "Swedish from day 1", an initiative aimed at the Study associations to offer guidance about the Swedish labour market to asylum seeking women as well as motivational activities for employment to both asylum seekers and newly arrived immigrants.

Since 2018, the ten Swedish study associations have been granted government funding for outreaching and motivation initiatives with the aim to inform and show possible paths to further education. The target group is foreign-born women, 20 years and older, residing in Sweden, who have a low level of skills and who are not in education or on the labour market. The initiative is a step towards increasing the skills level and an establishment on the labour market among women. The measure started in 2018 and has been allocated funds for 2018–2020.

- *Activities against segregation*

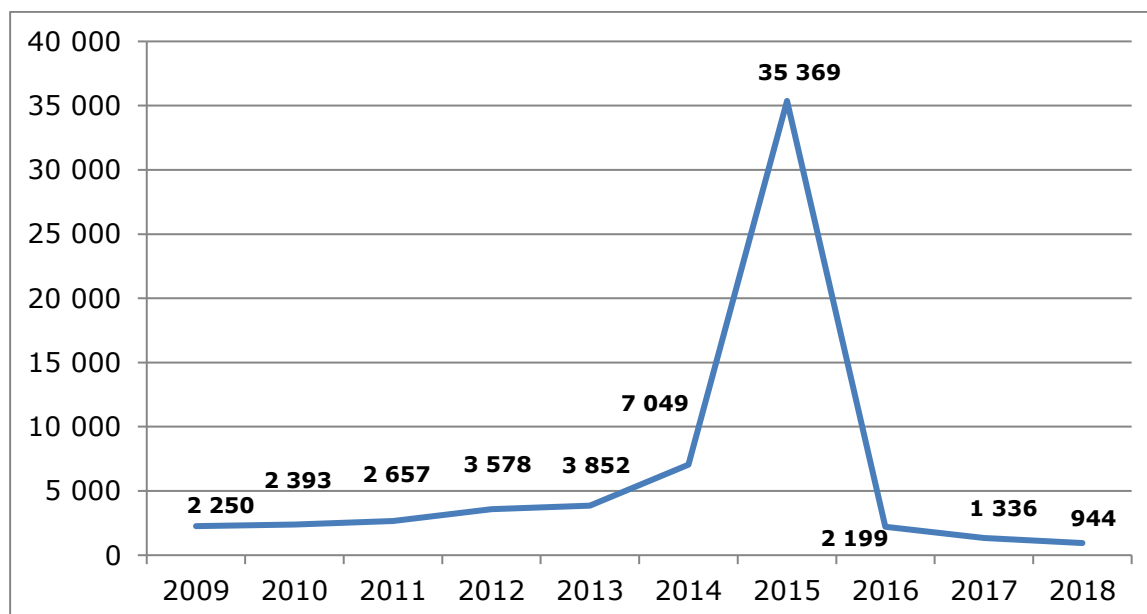
As of 1 January 2018, a new authority has been set up in Sweden, the Delegation against segregation (*Delmos*). The Authority will work to improve the situation in areas with socioeconomic challenges and counter structural causes of segregation. Delmos shall promote increased cooperation between authorities, county councils, municipalities, civil society organizations, industry, researchers and other relevant actors; contribute to the exchange of knowledge and experience between relevant actors and support them in conducting a strategic and knowledge-based work; and follow research and contribute to knowledge-development on segregation issues. The Authority will also analyse the underlying causes of segregation and disseminate knowledge about methods and actions that can help reduce and counter segregation. Furthermore, it shall assist the Government with analyses, investigations and follow-ups on segregation issues, and distribute state grants.

## 6 UNACCOMPANIED MINORS

### *Reception and accommodation of unaccompanied minors*

The number of unaccompanied minors (UAM) seeking asylum in Sweden has increased remarkably over recent years, up to and including the year 2015. In 2016, 2017 and 2018, there was a very significant drop, see Figure 7 below. While as many as 35 369 UAM applied for asylum in Sweden in 2015, their number was only 2 199 in 2016, 1 336 in 2017, and 944 in 2018. In 2018, UAM accounted for roughly 4% of all asylum seekers that came to Sweden that year. This percentage was 8% in 2016 and as high as 22% in 2015.

**Figure 7: Unaccompanied minors applying for asylum in Sweden, 2009-2018**



**Source:** Swedish Migration Agency.

New rules on the placement of asylum seeking unaccompanied children, who are assigned to a municipality, came into force on 1 June 2018. This amendment to the Act on the reception of asylum seekers and others, means that a municipality that has been assigned to receive an unaccompanied child may accommodate the child in another municipality only if the two municipalities have entered into an agreement on the placement, the placement is in accordance with Act on special provisions on the care of young people or with the Social Services Act; or there are, with regard to child care needs, exceptional circumstances.

### *Countries of origin and protection rate*

In contrast to the years 2014-2016, Afghanistan was no longer the dominating country of origin of unaccompanied minors arriving in Sweden in 2018. UAM from Syria constituted instead the largest nationality group in 2018, with 136 asylum applicants, and Morocco was the second largest group, with 126 individuals. Afghanistan came fifth, with a share of 10% of all UAM arriving in Sweden.



**Table 11: Unaccompanied minors, main nationalities 2014-2018**

Citizenship	2014	2015	2016	2017	2018	Total 2014-2018
Afghanistan	1 547	23 480	665	222	99	26 013
Syria	1 233	3 777	180	159	136	5 485
Somalia	1 118	2 058	421	159	106	3 862
Eritrea	1 456	1 939	74	52	100	3 621
Iraq	84	1 097	93	52	31	1 357
Morocco	381	403	144	235	126	1 289
Ethiopia	114	891	133	53	34	1 225
Stateless	448	530	45	39	29	1 091
Albania	82	208	104	78	37	509
Algeria	126	102	47	39	24	338
<i>Other</i>	460	884	293	248	222	2 107
<b>Total</b>	<b>7 049</b>	<b>35 369</b>	<b>2 199</b>	<b>1 336</b>	<b>944</b>	<b>46 897</b>

**Source:** Swedish Migration Agency.

As in previous years, UAM were more frequently granted protection than adult asylum seekers. Whereas the protection rate (at first instance) for all asylum seekers in 2018 was 32%, the protection rate for UAM was 53%. This is a significantly lower overall protection rate than in 2017, where it was 73%. With cases in which the Swedish Migration Agency did not consider the application materially, for example in "Dublin cases", excluded, the protection rate for UAM was 65% (compared to 79% in 2017).

The majority of UAM coming to Sweden in 2018 were boys (73%, compared to 78% in 2017), and most of them were registered as being between 13 and 17 years old.

**Table 12: Unaccompanied minors applying for asylum, age and gender, 2018**

Age ranges	Girls	Boys	Total
0-6 years	17	17	34
7-12 years	43	72	115
13-15 years	71	218	289
16-17 years	118	388	506
<b>Total</b>	<b>249</b>	<b>695</b>	<b>944</b>

**Source:** Swedish Migration Agency.

#### *Residence permits for studies at upper secondary schools*

In June 2018, the Swedish Parliament approved a new law that aimed at making it possible for young unaccompanied asylum seekers, whose asylum applications had been rejected, to apply for a residence permit for studies at upper secondary schools. This temporary law was intended and expected to regularise the legal situation of several thousand young migrants who had come to Sweden as unaccompanied minors and had their asylum applications rejected following long wait times. The opportunity to receive a residence permit for upper secondary



studies was only available to unaccompanied individuals who had applied for asylum before 24 November 2015, who had been waiting for an asylum decision for at least 15 months, and who were still in Sweden. The last day to apply for a residence permit under the new law was 30 September 2018. Some of the conditions that applicants had to meet to obtain a residence permit under the new law are that the applicant must, as a rule, have applied for asylum on 24 November 2015 or earlier, be at least 18 years old when he/she was been issued a decision on expulsion or deportation, and has waited for more than 15 months for such decision. Permits under the law are temporary but those who manage to find work after their upper secondary school studies may make a “status change” towards a permit for work purposes.

By the end of 2018, around 4 900 individuals were granted residence permits for upper secondary school studies under this temporary provision.

### *Age assessments*

In 2017, amendments had been made to the Aliens Act, entailing that the Swedish Migration Agency now assesses an alien's age earlier in the asylum process. The law now states that a temporary age assessment should be carried out immediately, and that a temporary (appealable) decision regarding the age of an asylum applicant should be taken in the initial phase of the asylum procedure. There are various methods – both medical and non-medical – that can be used to assess the age of a young applicant. The National Board of Forensic Medicine in Sweden performs the medical age assessments on behalf of the UAM asylum seekers, with their consent, in cooperation with the Migration Agency, which formally handles the administration. The methods used include examining the applicants' wisdom teeth (with panoramic x-ray), and the knee joints (with an MRI examination).

Regarding the reliability of these methods, discussions have arisen in 2017 and continued in 2018 within the scientific community in Sweden, internally at the institutions concerned, as well as in the media. Sweden was apparently the first country to adopt an MRI-based method (regarding the examination of knee joints), which naturally many of these discussions highlighted. Also the other method of examining the age of a person, x-ray of the wisdom teeth, has been debated.

For a shorter period of time in 2018, the Migration Agency did not make decisions in asylum cases of unaccompanied female applicants due to uncertainties regarding medical age assessments for females. The National Board of Forensic medicine, who is responsible for medical age assessments, changed its probability-scale used for females and, following the publication of new guidelines, the Migration Agency resumed its decision-making.

In early 2019, the government announced that it would conduct an independent enquiry of the role of age assessments in the asylum process in Sweden.<sup>58</sup>

## 7 TRAFFICKING IN HUMAN BEINGS

### *Trends regarding trafficking in human beings*

Seen over several years, trafficking in human beings seemed to be a growing phenomenon in Sweden, although rising numbers of suspected cases can also be a result of increased awareness and resources made available to and by competent authorities. In 2018, the Swedish Migration Agency identified a larger number of victims of trafficking who were forced to commit crimes, compared to previous years. Furthermore, there has been a focus on identifying victims that are exploited in the labour market, which resulted in a significant amount of cases identified within that category.

In 2018, the Migration Agency identified 384 persons as potential victims of trafficking. Among these, 197 were women and 143 were men. 44 were underage. The potential victims were mainly from Nigeria, Morocco, Turkey, Pakistan and Vietnam. In 2017, 444 individuals were identified as potential victims, which was an increase in comparison to 2016 (341).

When the Migration Agency suspects trafficking, it informs the Police and contacts municipalities' social services. Not all of the reported cases relate to trafficking offences within Sweden, however. They can also have happened before a person reaches Sweden, or in the country of origin.

The Migration Agency also processes cases in which the person in charge of a preliminary criminal investigation applies for temporary residence permits for suspected victims or witnesses of crimes. This includes trafficking victims that cooperate with law enforcement authorities. In 2018, the Agency issued 54 such permits in relation to potential victims of trafficking. In 2017, 60 such permits had been granted.

Over the year 2018, 82 individuals were arrested or otherwise involved in criminal proceedings related to trafficking offences, and 16 persons were convicted. These figures represent a substantial increase compared to the year before, when 12 suspected traffickers were arrested or involved in criminal proceedings, and 8 convicted.

### *Policy developments regarding trafficking*

On 1 January 2018, the national assignment to coordinate the work of Swedish authorities against prostitution and human trafficking for sexual and other

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<sup>58</sup> [Åldersbedömningar utreds: 'Måste göras rättssäker'](#), Svenska Dagbladet, 9 April 2019.

purposes was transferred from the Stockholm County Administrative Board to the Swedish Gender Equality Agency and thus made permanent.<sup>59</sup>

A National Action Plan to combat prostitution and trafficking in human beings was adopted by the Government in February 2018.<sup>60</sup>

## 8 IRREGULAR MIGRATION

In 2018, 1 090 persons travelling irregularly were refused entry into Sweden at the country's external borders, according to figures reported to Eurostat. This is an increase compared to 2017, when 880 persons were refused entry, but a lower level than in 2016, when the number of refusals was 1 405. In addition, 1 720 third country nationals were found to be illegally present on Swedish territory in 2018, which is lower number than in 2017 (2 145).

One basic element in tackling irregular immigration is to ensure an efficient and reliable system of checks on persons in order to prevent foreign nationals from 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 another EU Member State or by air.<sup>61</sup>

### *Unfounded asylum claims*

In 2017, Sweden had experienced a sharp increase in the number of manifestly unfounded asylum applications by nationals of Georgia. It total, over 1 100 Georgian asylum seekers were registered during that year. Also in 2018, over 1 150 Georgian nationals applied for asylum. The asylum recognition rate for Georgians in 2018 was extremely low. To handle such asylum applications as quickly as possible is seen as a priority. The Migration Agency categorises asylum cases in different tracks, and applications by persons from Georgia are treated either as manifestly unfounded or in a fast track, unless the circumstances in a single case mean that an accelerated process not is possible. In 2018, there has been an decrease in the number of asylum applications that are assessed as clearly unfounded and therefore processed in accelerated procedures, as a result of a judgment of the Court of Justice of the European Union.<sup>62</sup> Since Sweden has not implemented parts of the Asylum Procedure Directive relating to list of safe third countries, the Migration Agency may not refer applicants for international protection to seek the protection of state authorities in their home countries and,

<sup>59</sup> <https://www.jamstalldhetsmyndigheten.se/en/>.

<sup>60</sup> [Action plan to combat prostitution and trafficking in human beings](#), Government Offices of Sweden, March 2018.

<sup>61</sup> Cf. Swedish Migration Agency/EMN (2012): [Practical responses to irregular migration into Sweden](#), a study produced by the European Migration Network (EMN).

<sup>62</sup> First Chamber, C-404/17.

based on that, assess the application as clearly unfounded. Consequently, many such cases are now processed in a normal or, in some cases, prioritized procedure instead.

#### *Workplace inspections*

New legislation on workplace inspections entered into force on 1 July 2018. This has given the Police Authority extended rights to conduct workplace inspections, based on risk assessments, in sectors where there is an elevated risk of individuals working without the necessary work or residence permits. The aim is to prevent unsound employers from exploiting irregular migrants.

## **9 RETURN**

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. In the first place, the persons concerned should return on a voluntary basis, if needed with the support of the Swedish Migration Agency. In cases where the obligation to return to one's country of origin is not respected, the Police is responsible for implementing the refusal-of-entry or expulsion order.

#### *The European Return and Reintegration Network*

In 2018, the Migration Agency became a partner in the European Return and Reintegration Network (ERRIN), which continues the work that had previously been carried out by the European Reintegration Network (ERIN), but with an extended mandate within the area of return, including reintegration. On 1 October 2018, ERIN was incorporated as a component into ERRIN. The Program aims to strengthen, facilitate and streamline the return process in the EU through common initiatives, and to promote a durable and efficient reintegration in countries outside the EU.

#### *Forced return monitoring*

Since 1 January 2018, the Swedish Migration Agency has been responsible for forced-return monitoring. The Agency recruited monitors internally in March 2018 and monitoring operations started in August 2018. Since then, approximately 40 forced return operations have been monitored.

#### *Detention and alternatives to detention*

Regarding detention, there have been some structural problems in Sweden, mainly consisting of an occasional lack of detention capacity. At the end of 2017, the Swedish Migration Agency had 357 places in detention centres at its disposal, and

there were five detention centres. In 2018, the capacity of Swedish detention centres was raised and reached 417 beds at the end of the year. Occupancy at detention centres in Sweden has been high throughout 2018 with an average occupancy-rate between 97% and 100%.

In the budget bill for 2018, the Migration Agency has been assigned the task to further develop the use of supervision as an alternative to detention, and to make it more effective. Supervision means that a person is obliged to report to the Police Authority or the Migration Agency at regular intervals. The Migration Agency has implemented pilot projects on how supervision can be used in a more structured way. In the framework of one of these pilots, the Agency combines supervision with meetings with the returnee. At such meetings, his/her return can be discussed, and the person can be given concrete assignments related to the return (e.g., to arrange travel documents).

### *Returns to Afghanistan*

A large share of all open return cases at the Swedish Migration Agency concerns rejected asylum seekers from Afghanistan (6 419 of roughly 19 000 at the end of 2018). To facilitate returns to Afghanistan, the Swedish Migration Agency published three video clips in 2018 to inform about the support that is available to returnees. Representatives from the Afghanistan Centre for Excellence (ACE) and the International Organization for Migration (IOM) take part in the video clips to explain what support they offer. The target group for these videos are primarily asylum reception officers, whose work shall be supported, but the aim is to provide information directly to returnees as well.

### *Reintegration support*

In order to facilitate return and to strengthen the incentives for voluntary return, economic reintegration support can be granted to persons who have received a final decision or withdrawn their application and choose to return voluntarily to a country with very limited opportunities for re-establishment.

In 2018, 1 272 persons applied for reintegration support. This is a lower number than in 2017, when 1 552 persons applied, and 2016 (3 235 applications). 1 250 received a positive decision on their application in 2018. The decreased number of applications for reintegration support is a consequence of fewer persons withdrawing their application for asylum and returning, compared to earlier years. The two main nationality groups among those who received reintegration support in 2018 were Iraqi and Afghan nationals.

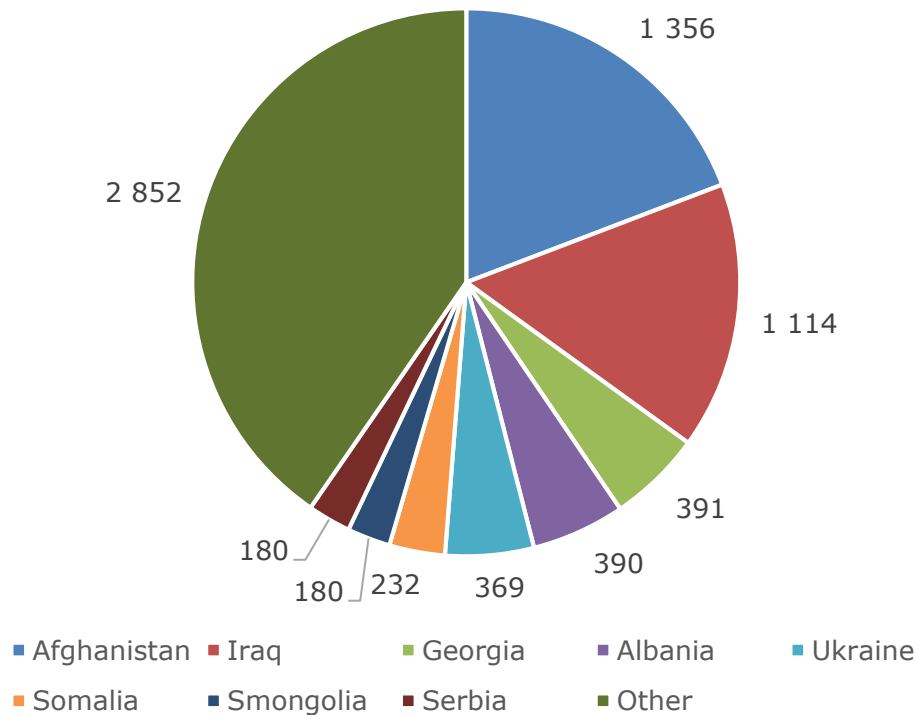
### *Voluntary and forced returns*

In 2018, a total of 9 740 persons returned from Sweden to their home countries (5 633), to member states of the EU or EEA (3 593), other countries (416), or to unknown destinations (170). 7 064 of these returns were voluntary, assisted by the Swedish Migration Agency. The remaining 2 714 cases were forced returns,

carried out by the Police. Overall, the number of returns decreased in comparison to 2017, when 11 781 returns took place. As the number of forced returns remained relatively stable (2 714 in 2018 compared to 2 772 in 2017), the decrease mostly concerned voluntary returns (7 064 in 2018, compared to 9 047 in 2017).

Among those returning voluntarily, most people had Afghan (1 356), Iraqi (1 114), Georgian (391), Albanian (390) and Ukrainian (369) nationality; see figure 8 below. Most of the Afghan nationals were returned to other countries within Europe. Of the total of 1 356 Afghans returning, only 419 were brought back to their home country (264 assisted by the Migration Agency and 155 by the Police). By contrast, most nationals of Iraq went back to their home country and only a smaller share to other countries.

**Figure 8: Voluntary return, main citizenship groups, 2018**



**Source:** Swedish Migration Agency.

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