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Pathways to citizenship for third-country nationals in the EU Member States – National Report Sweden



EMN study 2019:
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Executive Summary

In the aftermath of 2015 when a large number of third-country nationals applied for asylum in Sweden, migration and increasingly the question of citizenship have become topical issues. Since 2018, citizenship is the most common type of case processed at the Swedish Migration Agency, and the number of applications have doubled since 2016. In 2018, the top countries were Syria, Somalia, stateless (Palestinians), Iraq and Afghanistan, from all of which international protection was often the major initial reason for migrating to Sweden. Pakistan, Thailand and Serbia were the exceptions among the top 10 countries. Hence, this national report covers an issue that is on the top of the migration agenda in Sweden. The study aims at mapping the legal framework, policies and the procedural aspects for the acquisition of citizenship in Sweden. The report is divided into five different sections, also highlighting the impact or link between citizenship and integration and the possible challenges and benefits of dual citizenship.

Swedish citizenship builds primarily on three guiding principles - *ius sanguinis*, the right of the child to acquire citizenship and the reduction of statelessness. The main legal instrument for the acquisition of citizenship, the Act on Swedish Citizenship, entered into force in July 2001. The main amendments since then followed in 2015, facilitating for in particular children and young adults to become Swedish citizens. Dual citizenship was fully recognised in the current legislation in 2001. Swedish legislation on citizenship has been considered liberal by international comparison. For example, both language and financial requirements ceased to be applied in the 1980s. The main requirements to be eligible is a continuous period of legal residence in Sweden and a permanent residence permit. In order to acquire citizenship through naturalisation applicants also need to prove their identity, be 18 years old, and have led and be expected to lead a respectable life.

Calls for tougher requirements have been more common recently, such as policy initiatives to make language and civic tests obligatory for the acquisition of citizenship. A commission of inquiry tasked to look into these and some other possible policy changes was appointed by the government in 2019. To introduce a possibility to revoke citizenship has also been a part of an overall public and policy debate on terrorism and security. Under current legislation, it is not possible to revoke Swedish citizenship. Additionally, protection against deprivation of citizenship is enshrined in legislation that forms part of Sweden's constitution, which makes it more difficult to amend.

Swedish citizenship can be acquired in four different modes: ordinary naturalisation, acquisition by birth, by adoption and finally by notification. The most common way for third-country nationals to acquire Swedish citizenship is through naturalisation. The primary government agency responsible is the Swedish Migration Agency. The Migration Courts and the Migration Court of Appeal handle appeals. Depending on the nature of the application, the Migration Agency requests information from other government agencies such as The Swedish Police Authority, The Swedish Security Service, The Swedish Enforcement Agency and The Swedish Tax Agency. The procedure at the Migration Agency is not entirely digitised, but steps have been taken to automate some phases. Due to the high increase in the number of beneficiaries of international protection that have received residence permits in the 2010s, processing times have increased in the past few years, contributing to administrative burdens. The verifica-

tion of identity is a challenge particularly in applications from third-country nationals. Application processing times is an overall challenge for authorities and applicants.

Citizenship has been discussed increasingly in relation to integration in public and policy debate in Sweden. However, few studies have looked at the relationship between citizenship and integration. One study showed that the likelihood of being employed and having a better income increases if the foreign-born person has acquired Swedish citizenship. However, the acquisition of citizenship per se was not found to be a primary factor to strengthen their position on the labour market. More often, it was the period of residence in Sweden and the level of proficiency in the Swedish language that facilitated labour market integration. A small number of jobs are restricted to Swedish citizens such as employment at the Swedish Police Authority, the Swedish Armed Forces and some positions in the judiciary and government offices. To acquire Swedish citizenship subsequently becomes a necessity for those aspiring for those jobs. For some third-country nationals, a Swedish passport might be necessary for access to jobs that require cross-border mobility.

The overall objectives of Swedish integration policy are equal rights, obligations and opportunities for all regardless of ethnic and cultural background. A more specific objective is to increase civic participation, to foster a sense of belonging and to promote foreign-born to become active members of the Swedish society. A Sweden that keeps together is another key policy objective and the glue to hold the people together is citizenship. The acquisition of citizenship is not considered as the end-point of the naturalisation process but as an incentive to promote integration. Language requirements for the acquisition of citizenship has been subject to debate since the 1980s. So far, the perceived disadvantages of such requirements have been considered to outweigh the advantages. Concerns have primarily been that fewer people, not least in disadvantaged migrant groups, would apply and that such requirements ultimately could have a negative impact. Meanwhile, it seems to be an open question how citizenship can serve as an incentive for migrants to learn Swedish and contribute to their integration into Swedish society. The importance of learning Swedish has been increasingly stressed in public debate and by policy makers and researchers.

Arguably, the fact that third-country nationals with permanent residence in Sweden largely hold the same rights as Swedish citizens constitutes a challenge. Registration in the population registry gives third-country nationals access to economic and social rights on the same footing as Swedish citizens. Furthermore, requirements to hold Swedish citizenship for certain government jobs in particular have been relaxed. The most noticeable differences are the right to vote in national elections and the eligibility to stand for election in parliament as well as the unconditional right to reside in Sweden. From this perspective, a question for the individual might be what additional benefits citizenship brings in practice. Measures have been taken to highlight its symbolic value such as by citizenship ceremonies, but new citizens participate in these to a limited extent.

There is no data on dual citizenship, since this is not registered in Sweden. Estimations say the numbers of residents holding dual citizenship are increasing. There are no reports regarding any noticeable negative consequences of dual citizenship. However, it has been argued that some of those that hold dual citizenship might not be fully aware of their obligations towards their other country of citizenship. The Migration Agency and the Ministry for Foreign Affairs disseminate information on the possible challenges of holding dual citizenship. A benefit of dual citizenship that has been highlighted is that it might increase the opportunities for circular migration.

This EMN study was based primarily on a desk review of Sweden's legal framework,

policies and recent reports and publications in the field. Specialists in the field at the Swedish Migration Agency were particularly helpful in providing comments and feedback during the writing process. A draft report was submitted for consideration to the Ministry of Justice and the Ministry of Employment. Statistics were provided by the Swedish Migration Agency and Eurostat unless otherwise noted.

Sammanfattning på svenska

I spåren efter 2015, då ett stort antal tredjelandsmedborgare ansökte om asyl i Sverige, har migration och inte minst medborgarskap blivit aktuella frågor. Sedan 2018 är medborgarskap det största ärendeslaget hos Migrationsverket och antalet ansökningar har fördubblats sen 2016. Under 2018 kom de som ansöker om svenskt medborgarskap framförallt från Syrien, Somalia, var statslösa palestinier eller kom från Irak och Afghanistan, i huvudsak länder med högt antal asylsökande. Pakistan, Thailand och Serbien var undantagen bland de tio största länderna. Den här nationella rapporten diskuterar därmed ett ämne som ligger högt upp på den politiska dagordningen. Studiens syfte är att undersöka regelverk, förfarande och praxis för förvärvande av medborgarskap i Sverige. Rapporten, som täcker perioden 2014-2018, är uppdelad i fem olika delar där även medborgarskapets möjliga betydelse för integration tas upp liksom utmaningarna eller fördelarna med dubbelt medborgarskap.

Det svenska medborgarskapet bygger framförallt på tre grundprinciper - härstamningsprincipen, barnets rätt till medborgarskap och att motverka statslöshet. Medborgarskapslagen, som är den centrala rättsakten på området, trädde i kraft 2001. De senaste lagändringarna ägde rum 2015, då processen för speciellt barn och unga vuxna att bli svenska medborgare förenklades. Dubbelt medborgarskap accepterades fullt ut i nuvarande medborgarskapslag 2001. Vid en internationell jämförelse framstår den svenska medborgarskapslagen som liberal. Både språkkrav och försörjningskrav togs bort på 1980-talet. För att bli svensk medborgare krävs framförallt en kontinuerlig vistelsetid och ett permanent uppehållstillstånd. Ytterligare krav vid naturalisering är styrkt identitet, att personen ifråga har fyllt 18 år och bedöms ha ett hederligt levnadssätt.

Under senare tid har det oftare förespråkats att kraven för medborgarskap bör bli hårdare, till exempel finns politiska förslag att införa obligatoriska prov i svenska och i samhällskunskap för att kunna bli medborgare. Regeringen tillsatte 2019 en utredning för att undersöka dessa och andra förslag till möjliga förändringar. I den offentliga och politiska debatten har även möjligheten att kunna återkalla medborgarskap diskuterats framförallt gällande svenska medborgare som är misstänkta för terrorbrott. För närvarande saknas möjligheten att återkalla svenskt medborgarskap i svensk lagstiftning. Skydd mot att bli berövad sitt svenska medborgarskap finns även inskrivet i den svenska grundlagen vilket försvårar en eventuell lagändring.

Det finns fyra olika sätt att få medborgarskap i Sverige, det vanligaste för tredjelandsmedborgare är genom naturalisation, övriga är genom födelse, adoption och genom anmälan. Migrationsverket är den myndighet som ansvarar för att ta emot ansökan, handlägga och fatta beslut om medborgarskap. Vid en överklagan är det Migrationsdomstolarna och Migrationsöverdomstolen som avgör ärendet. Övriga myndigheter som involveras vid behov är Polismyndigheten, Säkerhetspolisen, Kronofogden och Skatteverket. Processen hos Migrationsverket är inte helt digitaliserad. Vissa handläggningsmoment har dock automatiserats. En växande utmaning sedan 2010-talet är de långa handläggningstiderna som ett allt större antal ärenden har resulterat i liksom att säkerställa att identiteten är styrkt.

Medborgarskap och dess betydelse för integrationen har debatterats allt mer i Sverige. Det finns dock relativt få studier på ämnet. En studie påvisade dock att sannolikheten för en utrikesfödd att få en anställning och en högre inkomst ökade vid svenskt medborgarskap. Förvärvet av medborgarskap var dock inte den främsta faktorn att påver-

ka ställningen på arbetsmarknaden. Av större betydelse för att stärka ställningen på arbetsmarknaden var vistelsetiden i Sverige liksom kunskaper i svenska. Inom ett fåtal arbetsområden krävs dock svenskt medborgarskap, till exempel för anställning inom polisen, militären och vissa tjänster inom rättsväsende och regeringskansliet. Det kan därför vara en pådrivande faktor för att ansöka om svenskt medborgarskap för de som är intresserade av att arbeta inom dessa sektorer. Tjänster som innebär ett stort antal utlandsresor kan också vara en anledning till att ansöka om svenskt medborgarskap för de som har ett medborgarskap eller ett pass som inte ger samma rörelsefrihet.

De övergripande målen inom integrationspolitiken är lika rättigheter, skyldigheter och möjligheter för alla oavsett etnisk eller kulturell bakgrund. Ett mer specifikt mål är ett ökat samhällsengagemang, att få utrikesfödda att känna en samhörighet med Sverige och vara aktiva medborgare. Ett politiskt mål är att medborgarskapet ska vara den länk som håller samman de som lever i landet. Förvärv av medborgarskap anses dock inte som slutpunkten för naturalisationsprocessen utan som ett verktyg för att uppnå integration. Språkkrav har debatterats från och till sen 1980-talet. Hitintills har nackdelarna med att införa sådana krav ansetts överväga fördelarna. Farhågorna har framför allt varit att färre personer, inte minst personer från länder med lägre utbildningsnivå, skulle ansöka vilket sammantaget skulle leda till negativa samhällseffekter. Hur medborgarskap kan bli ett incitament både för att lära sig svenska och för att integreras i det svenska samhället verkar vara något av en öppen fråga. Betydelsen av att lära sig svenska har dock betonats allt mer i den offentliga debatten och av både politiker och forskare.

Den omständighet att tredjelandsmedborgare med permanent uppehållstillstånd i Sverige i stort har samma rättigheter som svenska medborgare är troligtvis en utmaning. Att vara folkbokförd ger tredjelandsmedborgare tillgång till ekonomiska och sociala rättigheter på samma villkor som svenska medborgare. Dessutom har kravet på svenskt medborgarskap mildrats när det gäller flera tjänster inom den statliga sektorn. Den största skillnaden är att man som svensk medborgare har ovillkorlig rätt att vistas i landet och att medborgarskapet ger rösträtt och rätt att kandidera till riksdagen. Sett i det perspektivet kan vissa fråga sig vilka fördelar medborgarskapet ger i praktiken. Ett sätt att öka medborgarskapets symboliska värde har varit att införa medborgarskapsceremonier. Antalet nya svenskar som deltar vid dessa ceremonier har dock visat sig vara begränsat.

Det finns ingen statistik över dubbelt medborgarskap eftersom detta inte registreras i Sverige. Enligt uppskattningar ökar antalet personer i den här gruppen. Det finns inga uppgifter om märkbara negativa effekter av dubbelt medborgarskap. Däremot finns det rapporter om att en del som har dubbelt medborgarskap inte är fullt medvetna om sina förpliktelser mot det andra medborgarskapslandet. Migrationsverket och Utrikesdepartementet sprider information om de utmaningar som kan uppkomma för personer med dubbelt medborgarskap. En fördel med dubbelt medborgarskap som lyfts fram är att det kan öka möjligheterna för cirkulär migration.

Den här EMN-studien bygger framförallt på en genomgång av lagstiftning, offentliga utredningar, myndigheters handböcker och riktlinjer samt forskningsrapporter på området. Migrationsverkets experter på medborgarskap har varit särskilt hjälpsamma att bidra med kommentarer och feedback under arbetet. Ett utkast på rapporten lämnades även till Justitiedepartementet och Arbetsmarknadsdepartementet. Statistik i studien kommer från Migrationsverket och Eurostat om inte annat anges.

1 Study aims and rationale

The European Convention on Nationality, signed in 1997, establishes principles and rules relating to the acquisition and loss of nationality and issue of multiple nationality. Although awarding citizenship is a prerogative of the Member States, national regulations have to be implemented with due regard to EU law. This is particularly important as the establishment of Union citizenship by the Maastricht Treaty in 1992 conferred a number of rights and privileges to all persons who are citizens of an EU Member State. Examining and comparing the different rules and regulations in place in Member States is relevant, as the right to free movement for Union citizens means that the decision of one country over who to accept or reject as citizens can impact all other Member States as well. The acquisition of citizenship has been a topic of debate in many Member States in recent years, with the need to integrate migrants.

This EMN study aims at mapping and comparing the various approaches of EU Member States regarding third-country nationals' acquisition of citizenship in a Member State. It will focus in particular on the ordinary naturalisation for new migrant¹ to the EU and therefore largely excludes the acquisition of citizenship through special naturalisation.² Ordinary naturalisation is considered to be "any acquisition after birth of a citizenship not previously held by the person concerned that requires an application to public authorities and a decision by these."³ This study will include a review of the conditions and requirements for naturalisation (e.g. length of legal stay, definition of legal stay, knowledge of language, economic and housing situation) and the administrative processes used by the Member States to determine whether a person is eligible to acquire citizenship or not. The study will examine whether Member States' permit dual citizenships and, if so, under which conditions. The study will also aim to explore how the acquisition of citizenship links to integration policies in the Member States, and whether naturalisation is considered the end-point of an integration process or whether acquisition of citizenship is intended to facilitate integration.

1 For the purpose of this study, 'new migrants' refer to third-country nationals who do not have a pre-existing historical tie with the Member State (ethnic, family, historical).

2 i.e. acquisition of citizenship through automatic acquisition, by marriage, through investor scheme and for political and/or discretionary reasons are excluded from the scope of this study

3 R. Baubock and S. Wallace Goodman (2011), EUDO Citizenship Policy Brief n°2, Naturalisation, available at: http://eudo-citizenship.eu/docs/policy_brief_naturalisation.pdf

2 Scope of the study

The study focuses on citizenship matters as defined in the EMN Glossary or otherwise commonly used. It shall cover the acquisition, by a third-country national, of the citizenship of an EU Member State. The study covers the broad category of third-country nationals who immigrated to the EU as first generation ('new migrants') and thus excludes second- and third generation migrants. EU citizens acquiring the citizenship of another EU Member State are not covered. The acquisition of citizenship of an EU Member State by persons living in a third country is also outside of the scope of this study.

As far as policies and legislation regarding the acquisition of citizenship is concerned, this study shall reflect the most recent situation and developments in the Member States, therefore focusing on 2019. Regarding policy and legal developments, it also appears useful to trace any such developments over the past five years. Any planned legal or policy developments that have not yet come into effect at the time of writing would be included as well. As regards statistics, the study shall cover a five-year period, from 2014 to 2018.

3 EU legal and policy context

The integration of third-country nationals has become an important policy topic in many Member States, not least as a result of the large number of new migrants who arrived in the EU in 2014-2016 and received international protection. When, how and under which circumstances a third-country national can acquire the citizenship of an EU Member State is an essential dimension of integration processes. The acquisition of citizenship can be seen as the final step of an individual's successful integration process, as an incentive for individuals to become part of a new society or both. According to Eurostat, roughly 825 000 individuals became citizens of a Member State of the EU in 2017, most of them in Italy, the United Kingdom, Germany and France. As the EMN has not previously conducted a comparative study on the acquisition of citizenship, the proposed topic will fill a significant gap in the thematic activities of the network.

Awarding citizenship is a prerogative of the Member States, which they must exercise having due regard to EU law.⁴ Indeed, Member States solely are responsible for laying down the conditions for the acquisition of citizenship.⁵ However, citizens of a Member State also enjoy the rights of EU citizenship, including that of mobility and free movement across all Member States. As such, the determination of citizenship by one Member State implies a responsibility to all others. In this sense, citizenship has an important EU dimension. As pointed out by the Court of Justice of the EU, while laying down the conditions of acquisition and loss of citizenship falls within the remit of national competence, in doing so Member States must have due regard to EU law.

Three main modes of naturalisation exist:⁶

- Ordinary naturalisation – residence-based naturalisation, which does not foresee any waivers of conditions normally envisaged for applicants;
- Discretionary naturalisation on grounds of national interest – fully discretionary naturalisation, where authorities waive all or almost all naturalisation conditions;
- Discretionary facilitated naturalisation on grounds of national interest – discretionary naturalisation, where authorities waive some but not all naturalisation conditions.

Furthermore, as noted by the European Commission, 24 additional types of acquisition of citizenship are found in the EU, including the facilitation of conditions for certain

4 See Judgment of 7 July 1992, *Micheletti and Others v Delegación del Gobierno en Cantabria*, C-369/90, EU:C:1992:295, paragraph 10; Judgment of 11 November 1999, *Belgian State v Mesbah*, C-179/98, EU:C:1999:549, paragraph 29; Judgment of 20 February 2001, *Kaur*, C-192/99, EU:C:2001:106, paragraph 19; Judgment of 19 October 2004, *Zhu and Chen*, C-200/02, EU:C:2004:639, paragraph 37; Judgment of 2 March 2010, *Rottmann*, C-135/08, EU:C:2010:104, paragraph 39

5 See [Case Tjebbes and others C-221/17](#), Judgment of the Court of 12 March 2019, and [Case Rottmann C-135/08](#), Judgment of the Court of 2 March 2010

6 European Commission (2019). Part A Study Investor Citizenship and Residence Schemes, Notes accompanying Deliverable A. Available at: https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes_en.

ethnic groups, on grounds of socialisation or family links.⁷ This hints at the complexity of the legal provisions surrounding the acquisition of citizenship.

The study will also seek to examine how the Member States support third-country nationals in applying for citizenship and inform them about their rights and duties as national and EU citizens.

The study also presents an opportunity for Member States to cooperate and share good practices on matters relating to citizenship and integration by comparing and analysing the various national rules and procedures used at national level.

⁷ European Commission (2019). Part A Study Investor Citizenship and Residence Schemes, Notes accompanying Deliverable A. Available at: https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes_en

4 Primary questions to be addressed by the study

- Under what conditions can first generation migrants obtain the citizenship of the countries participating in this study? This includes, among other conditions/requirements, the length of legal stay in the country (with temporary/permanent residence status), the definition of legal stay or residence, knowledge of the language, economic situation, suitable housing, good conduct, or any legal or symbolic commitments to adhere to societal rules and norms.
- Are conditions different for different groups of third-country nationals, such as refugees or other groups significantly represented in the respective Member State (e.g. children, citizens of neighbouring third-countries, stateless people, investors)?
- Are there different procedures to acquiring citizenship (such as ordinary naturalisation by registration or by application)? How do these procedures work and how long do they take? To what extent are these procedures digitalised and applications submitted electronically?
- Is dual citizenship possible, and if so, under what conditions?
- What is the role of citizenship, including dual or multiple citizenships, in immigrant integration?

5 Definitions

According to the European Convention on Nationality, “nationality” means the legal bond between a person and a State and does not indicate the person’s ethnic origin.⁸ A case of the Court of Justice of the EU further defined nationality as “the special relationship of solidarity and good faith between [a Member State] and its nationals and also the reciprocity of rights and duties, which form the bedrock of the bond of nationality”.⁹

“**Multiple nationality**” means the simultaneous possession of two or more nationalities by the same person.¹⁰ For the purpose of this study, the term “dual citizenship” is used.

According to the EMN glossary,¹¹ the term “**citizenship**” is defined as “the particular legal bond between an individual and their State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation.”

It is noted that, as per the EMN Glossary, in some Member States, a distinction is made between citizenship and nationality, whereas in the EU context, no distinction is made, and the two terms are considered interchangeable. Those countries which distinguish between citizenship and nationality, the term citizenship refers specifically to the legal rights and duties of nationals.

“**Acquisition of citizenship**” refers to “Any mode of becoming a national, i.e. by birth or at any time after birth, automatic or non-automatic, based on attribution, declaration, option or application”.¹²

This study explores the acquisition of citizenship through naturalisation. “**Naturalisation**” means “any mode of acquisition after birth of a nationality not previously held by the target person that requires an application by this person or their legal agent as well as an act of granting nationality by a public authority”.¹³ As per a recent report published by the European Parliament, a distinction is made ‘between ordinary naturalisation – when the primary grounds of acquisition of citizenship is a certain period of residence in the country, and special naturalisation – when the acquisition of citizenship is based on other considerations, such as family links, ethno-cultural connections or special contributions’.¹⁴ The first definition will be used for the purpose of this study, meaning that the emphasis is on the third-country nationals acquiring citizenship on the basis of an application process following a minimum legal residing period.

8 Article 2(a), European Convention on Nationality, available at: <https://rm.coe.int/t/168007f2c8>

9 Judgment of 2 March 2010, Rottmann, C-135/08, available at: <http://curia.europa.eu/juris/liste.jsf?num=C-135/08>

10 Article 2(b), European Convention on Nationality, available at: <https://rm.coe.int/t/168007f2c8>

11 EMN Glossary 6.0, available at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en

12 Ibid.

13 Ibid.

14 Ibid.

Ius sanguinis refers to “the determination of a person’s nationality on the basis of the nationality of their parents (or one parent or one particular parent) at the time of the target person’s birth and at the time of acquisition of nationality by the target person (the two points in time are different in cases of acquisition after birth).¹⁵

In contrast to this, **ius soli** refers to “the principle that the nationality of a person is determined on the basis of their country of birth”.¹⁶ The different categories of ius soli are defined as follows:¹⁷

- Unconditional ius soli: on the basis of birth. Citizenship is automatically granted to those born in the country, regardless of any other conditions;
- Conditional ius soli: on the basis of certain conditions, e.g. minimum period of residence in the country of the parents;
- Automatic double ius soli: on the basis of parental birth in the country. Children born in the country to foreign citizens can automatically acquire citizenship at birth if at least one of their parents was also born in the country;
- Conditional double ius soli: on the basis of certain conditions and parental birth in the country. Children born in the country to foreign citizens can acquire citizenship at birth if at least one of their parents was also born in the country under certain conditions, e.g. minimum period of residence for parents.

15 Ibid.

16 Ibid.

17 <http://eudo-citizenship.eu/docs/ius-soli-policy-brief.pdf>

6 Legal and policy overview

Main legal instruments

The main legal instrument covering the acquisition of citizenship in Sweden is the Act on Swedish Citizenship [Lag (2001:82) om svenskt medborgarskap].¹⁸ Its preamble expresses the meaning of Swedish citizenship. Initially, it states that Swedish citizenship is a legal relationship between the citizen and the state involving rights and obligations for both parties. It then emphasises the symbolic significance of citizenship, its link to Sweden and basis for democracy.

This law regulates the acquisition of Swedish citizenship for all foreign citizens. It states which persons automatically acquire Swedish citizenship by birth and by adoption. Furthermore, it regulates which persons can become citizens upon notification or upon naturalisation. Additionally, it has provisions on the loss and retention of citizenship and renunciation of citizenship. The law also determines the competent authorities to receive applications for citizenship and to handle appeals.

The Citizenship Ordinance [Medborgarskapsförordning (2001:218)] stipulates a number of formal and procedural requirements. It also contains information on fees.¹⁹

The acquisition of Swedish citizenship is not explicitly laid out in the constitution, but one of the four fundamental laws that make up the Swedish constitution, the Instrument of Government (IG) [Kungörelse (1974:152) om beslutad ny regeringsform], states a number of unalienable rights of Swedish citizens. For example, the “prohibition of deportation or refusal of entry into Sweden of a Swedish citizen, and protection of a Swedish citizen from deprivation of citizenship”. In addition, the IG states that Swedish citizens’ right to freedom of movement in the country and to leave it are safeguarded and that other citizens than Swedish citizens can be imposed restrictions of certain freedoms and liberties based on law. To amend a fundamental law such as the Instrument of Government, parliament must adopt two decisions of identical wording with a general election between the two decisions.²⁰

Recent legal and policy developments

An inquiry with the purpose to consider and submit proposals on certain issues regarding Swedish citizenship was appointed by the government in 2012. The inquiry’s report, published the following year, formed the basis for a number of amendments

18 Lag (2001:82) om svenskt medborgarskap, available at: https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-200182-om-svenskt-medborgarskap_sfs-2001-82, (last accessed 9 October 2019). Sweden is a State Party to the 1961 UN Convention on the Reduction of Statelessness and the 1997 European Convention on Nationality.

19 Medborgarskapsförordning (2001:218), available at: https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/medborgarskapsforordning-2001218_sfs-2001-218, (last accessed 9 October 2019).

20 Sveriges Riksdag, English website, The Instrument of Government in English translation, available at: <https://riksdagen.se/globalassets/07.-dokument--lagar/the-instrument-of-government-2015.pdf>, (last accessed 9 October 2019).

to the Act on Swedish Citizenship adopted by parliament in 2014.²¹ At the time, the government stated that “the amendments served to more manifestly use citizenship as a tool in integration policies”. Furthermore, the government bill introducing these amendments underlined that “a significant link with Sweden” [samhörighet] is the fundamental principle of citizenship in Sweden.²²

The bullet point list of amendments below is a verbatim translation into English from the government’s information on the amendments to the Act on Swedish Citizenship. These legislative changes entered into force 1 April 2015.

- A preamble was introduced which states that citizenship unites all citizens and that it consists of rights and obligations. Citizenship stands for affinity with Sweden (section 1).
- The new first section reflected the inquiry’s instruction to make a proposal for a definition of the meaning of Swedish citizenship. The purpose behind introducing such a preamble was to better clarify and make accessible the meaning of Swedish citizenship and underline its significance.
- All municipalities are obliged to arrange citizenship ceremonies at least once a year for new Swedish citizens with the purpose to mark the occasion of their new citizenship (section 29).
- The inquiry was also tasked to propose a framework for citizenship ceremonies making these accessible to all new Swedish citizens. Furthermore, the aim of citizenship ceremonies should be to put more stress on the importance and meaning of Swedish citizenship. Citizenship ceremonies were first organised in Sweden in the early 1990s, primarily by municipalities. By 2014, approximately half of the country’s municipalities organised such ceremonies by their own decision. Municipalities are to organise such ceremonies at least once a year. Ceremonies are normally organised on Sweden’s national day 6 June, but the law does not specify a particular date. Country administrative boards [Länsstyrelse] were tasked to co-ordinate and disseminate information and guidelines to support municipalities with their new task.
- Rules on how a child acquires Swedish citizenship at birth were amended so that women and men are on an equal footing. This means that a child always becomes a Swedish citizen at birth if one of the parents is a citizen (section 2).
- Previously, a child born abroad to a Swedish father in a situation where the parents were not married at the time of the birth did not automatically become a Swedish citizen if the mother was not a Swedish citizen. Conversely, a child born to a woman of Swedish citizenship acquired Swedish citizenship at birth and this was also the case if the father was Swedish and the child was

21 Det svenska medborgarskapet, betänkande av medborgarskapsutredningen, SOU 2013:29, Stockholm 2013. The inquiry’s report contains a summary in English. Available at: <https://www.regeringen.se/rattsliga-dokument/statens-offentliga-utredningar/2013/04/sou-201329/> (last accessed 23 September 2019).

22 The government’s announcement of amendments to the Act on Swedish Citizenship, available at: <https://www.regeringen.se/artiklar/2014/10/andringar-i-medborgarskapslagen-2015/> (last accessed 23 September 2019). The supplementary information provided in this paragraph was largely collected from the government’s website and the aforementioned inquiry report. Some of the terms and phrasings from the English summary are used here in order to reflect accurately the official information communicated. The government bill Ett medborgarskap som grundas på samhörighet Prop. 2013/14:143, 6 March 2014, is available at: <https://www.regeringen.se/rattsliga-dokument/proposition/2014/03/prop.-201314143/> (last accessed 30 September 2019).

born in Sweden. The inquiry reasoned that the marital status or the gender of the child's parents should not determine their possibility of transmitting citizenship to the child.

- Better opportunities for children to become Swedish citizens by reducing the period of domicile required.
- Under previous rules, a child who had a permanent residence permit could acquire Swedish citizenship by notification after five years of domicile in Sweden (three years for stateless children). The new rules reduced the period of domicile required to three years (two years for stateless children).
- The period to acquire Swedish citizenship by notification pertaining to stateless children and young adults was extended (sections 6-8).

Previously, a stateless child born in Sweden that held a permanent residence permit could acquire citizenship by notification until five years of age. The new provision stated that notification can be made up until 18 years of age. Similarly, the possibility to acquire citizenship by notification for those that have reached eighteen years of age and have a permanent residence permit was extended. Acquisition of citizenship by notification is now possible until the applicant turns 21 years. The latter amendment was made in order for Sweden to fully meet the requirements of the UN Convention on the Reduction of Statelessness, although the extension also applies to young persons who are not stateless.

- Persons who lost their Swedish citizenship due to previous rules aiming at avoiding dual citizenship were given the possibility to regain it by notification (section 9).

Sweden fully allowed dual citizenship in 2001. Previously, those that held Swedish citizenship and wanted to acquire another citizenship had to renounce their Swedish citizenship. Reasonably, this new provision on the restitution of citizenship is of marginal importance with regard to third-country nationals.

Public and policy debate

Citizenship has become increasingly topical in public and policy debate in the past few years. Not least, its possible importance for social and economic integration of new arrivals has received more attention. Several debaters have argued for a need to raise the status of Swedish citizenship. As mentioned above, the government quoted integration as an important driver for the amendments to the Act on Swedish citizenship that were made in 2014. Recently, debates seem to have increasingly focused on restrictive measures in relation to citizenship, and calls to introduce tougher requirements have become more frequent. Citizenship was frequently discussed in parliament in the 2014-2018 period, for example during question time, through interpellations and by private member's motions.²³

With regard to the acquisition of citizenship, a number of debaters and some of the current opposition parties in particular have argued for the introduction of tougher conditions and requirements for naturalisation. Among the issues raised were, for example, that knowledge of Swedish and Swedish society should be requirements, that

²³ See the website search function of the Swedish parliament, available at: <https://riksdagen.se/>.

the period of legal stay to qualify should be extended and that applicants should be able to support themselves in order to be eligible.²⁴

Further to this, the so-called “73 point Declaration” between the coalition government parties (the Social Democrats and the Green Party) and two of the opposition parties (the Centre Party and the Liberal Party) in January 2019 lists citizenship among its priorities. According to the agreement, a successful result on a test of the Swedish language and civic orientation will be required for the acquisition of citizenship. The agreement says the rationale behind introducing such requirements is to reinforce the status of citizenship and to promote inclusion.²⁵ On October 29 2019, the government announced the appointment of a commission of inquiry following the said agreement. In the announcement, the government stressed that knowledge of Swedish is instrumental for integration. Furthermore, the inquiry will examine whether parents’ possibilities to release their children from Swedish citizenship should be more limited than today with the purpose to counteract the risk for honour crimes. It will also examine the rules for stateless children born in Sweden, and the requirements to become a citizen by notification for children aged 15 years or older that have a serious criminal record. The inquiry’s final report is expected 1 May 2021, while the proposals relating to language and civic knowledge are to be presented on 15 October 2020 at the latest.²⁶

Overall, the language requirement comes across as one of the most topical issues in public and policy debate on citizenship in the past several years, and it often appears to have been raised in relation to integration. Meanwhile, some debaters have argued that the introduction of a language requirement would not serve the purpose its proponents are stating.²⁷

Furthermore, citizenship has been increasingly discussed as part of the overall debate on terrorism and security. In particular, the unfolding of the severe human rights violations in areas that were controlled by ISIS and information in the media on Swedish citizens having been active in that organisation or in other presumed terrorist activities fuelled a debate on whether Swedish citizenship should be possible to revoke. The question of revocation has also been debated in parliament and some of the opposition parties have argued in favour of the introduction of such a provision. Interestingly, overall media reporting on the question of revocation of citizenship often appears to have featured how other Member States have dealt with this question.²⁸

24 “DN Debatt. Skärp kraven för att bli svensk medborgare”, Dagens Nyheter, 6 September 2017, available at: <https://www.dn.se/debatt/skarp-kraven-for-att-bli-svensk-medborgare/>, (last accessed 10 October 2019).

25 Utkast till sakpolitisk överenskommelse mellan Socialdemokraterna, Centerpartiet, Liberalerna och Miljöpartiet de gröna, available at: <https://www.socialdemokraterna.se/globalassets/aktuellt/utkast-till-sakpolitisk-overenskommelse.pdf>, (last accessed 9 October 2019).

26 Dir. 2019:70, Språk- och samhällskunskapskrav för svenskt medborgarskap och andra frågor om medborgarskap, available at: <https://www.regeringen.se/pressmeddelanden/2019/10/okade-krav-for-medborgarskap-m.m/>, (last accessed 30 October 2019).

27 “Debatt: Språkrav för medborgarskap leder inte till ökade kunskaper i svenska”, Dalademokraten 2 August 2018, available at: <https://www.dalademokraten.se/artikel/debatt-sprak-krav-for-medborgarskap-leder-inte-till-okade-kunskaper-i-svenska>, (last accessed 9 October 2019).

28 “Flera EU-länder drar in IS-terroristers medborgarskap”, Sveriges television, 8 March 2019, available at: <https://www.svt.se/nyheter/utrikes/flera-eu-lander-drar-in-is-terroristers-medborgarskap>, (last accessed 9 October 2019).

Finally, the increasingly lengthy application processing times at the Migration Agency has started to draw attention in the media.²⁹

Principles for the acquisition of citizenship

Sweden's citizenship legislation has primarily been based on the *ius sanguinis* principle, and this is still the case following the 2015 amendments to Act on Swedish Citizenship. In the preceding bill, the government stated that this principle has a "large impact" on Swedish citizenship legislation and that the law, *inter alia*, rests on this principle.³⁰

At the same time, legal development since the 2000s has meant that other principles for the acquisition of Swedish citizenship have gained importance. For example, the current 2001 Act on Swedish Citizenship introduced provisions on children's acquisition of citizenship that to some extent increased the impact of the *ius soli* principle.³¹ Interestingly, the 2013 inquiry report included a legal analysis, which looked at which principles formed the basis of the rules for the acquisition of citizenship at the time. The succinct conclusion was that the majority of the rules were not explicitly connected to either the *ius sanguinis* principle or the *ius soli* principle. *Ius sanguinis* was, however, the more dominant of the two not least with regard to the fact that a child born to a Swedish citizen acquires Swedish citizenship. In principle, only rules pertaining to the acquisition of citizenship for stateless children were considered to be solely based on the *ius soli* principle. Overall however, domicile (period of legal stay) in Sweden was found to often be of more importance for the acquisition of citizenship.

Modes for the acquisition of citizenship

Ordinary naturalisation is one of the four principal modes for the acquisition of citizenship in Sweden. The total number of applications for naturalisation has increased steadily in the 2014-2018 period, and particularly after 2016. In 2018, Sweden received a total record number of 58 869 applications for naturalisation. In 2014, 23 696 third-country nationals applications were naturalised compared to 44 403 in 2018. Acquisition by naturalisation is the most common way for third-country nationals to become a Swedish citizen. Nationals from Syria, Somalia and stateless persons (Palestinians) made up the bulk of third-country nationals that acquired Swedish citizenship in 2018 (figure 2).

29 "Rekordlång väntetid för svenskt medborgarskap", Sveriges radio, 29 July 2019, available at: <https://sverigesradio.se/sida/artikel.aspx?programid=83&artikel=7265716>, (last accessed 9 October 2019).

30 Government bill prop. 2013/14:143, p. 12.

31 SOU 2013:29, p.113ff.

Figure 1. Third-country nationals naturalised 2014-2018

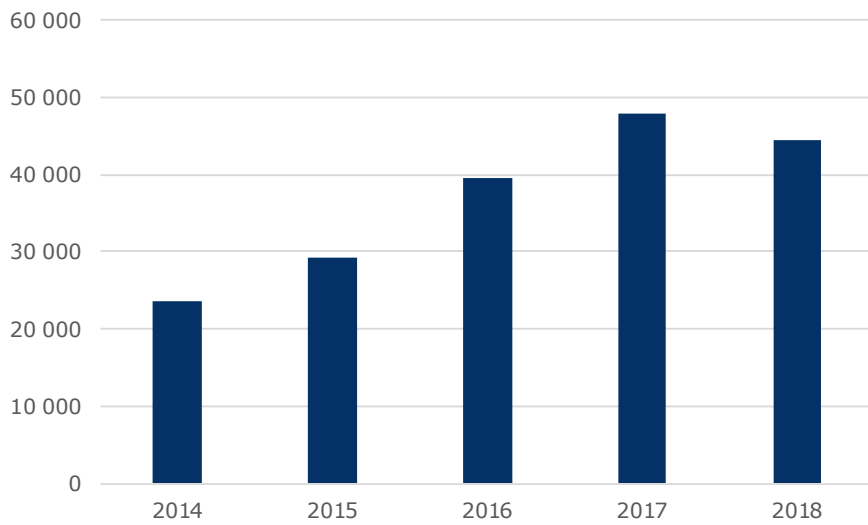
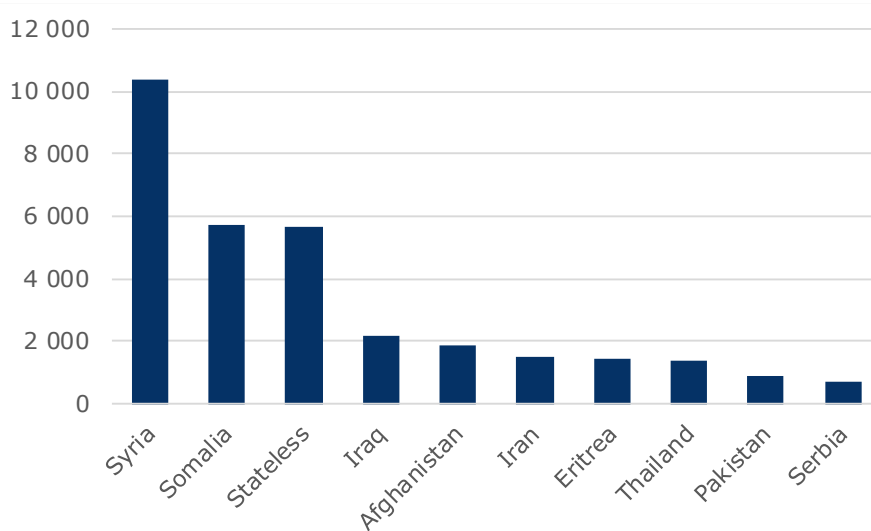


Figure 2. Third-country nationals that acquired citizenship in 2018



The Act on Swedish Citizenship states that an alien may be granted citizenship upon lodging an application if he/she fulfils certain criteria. The provision is discretionary and hence there is no right to obtain citizenship. However, in practice applicants that meet the requirements are as a rule granted citizenship.³² The applicant needs to have reached 18 years of age, but applicants below that age can become naturalised if exceptional reasons apply. For example, naturalisation of a child independently of its parents normally requires that one of its parents is a Swedish citizen and have single or shared custody of the child. As a rule it is required that the child has his/her domicile in Sweden.

³² Swedish Migration Agency Handbook for Citizenship.

In connection with the naturalisation of an alien, his/her unmarried children can become naturalised. Particular consideration in this case is taken to the child's connection to the applicant. As a rule it is required that the child is part of the applicant's household and that the applicant has custody of the child. If custody is shared, the other parent normally needs to give his/her consent.

Acquisition by birth is the second principal mode of acquisition of citizenship in Sweden. Following the amendments made in 2015, children acquire Swedish citizenship automatically at birth if one of their parents is a Swedish citizen. This provision applies to children born on 1 April 2015 or later. Furthermore, acquisition of citizenship by adoption is the third possible mode. A child under the age of 12 years automatically becomes a Swedish citizen if adopted by a Swedish citizen, if certain conditions apply.

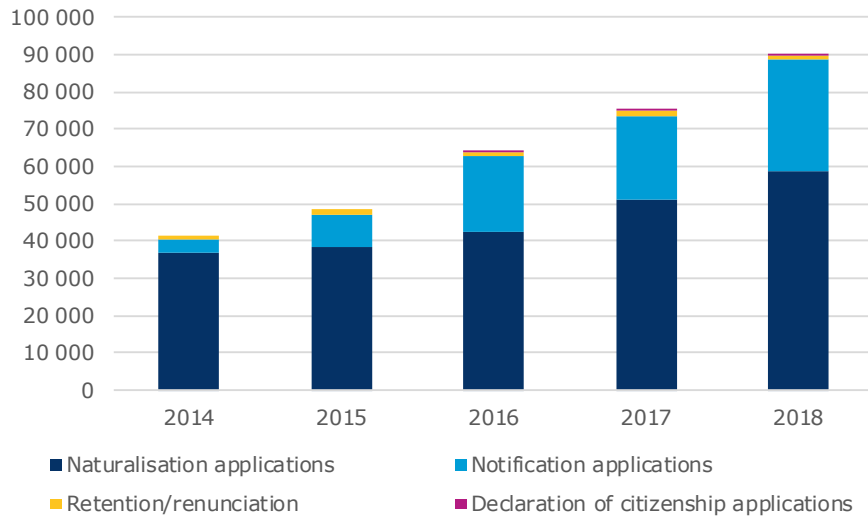
The acquisition of citizenship by notification is the fourth possible mode to gain citizenship in Sweden. It is a simplified procedure compared to naturalisation. With regard to third-country nationals, this mode is primarily for children and young adults (until 21 years of age). There are no formal requirements of substantiated identity or good conduct. Children to foreigners that acquire citizenship by notification acquire citizenship at the same time if certain conditions are fulfilled. Requirements need to be fulfilled at the point when the notification is submitted to the Migration Agency and if they are met, the acquisition of citizenship is effective from the day the it was submitted. Requirements for acquisition by notification cannot be waived. A permanent residence permit and domicile in Sweden of a certain duration are normally minimum requirements. There is a special provision for stateless children born in Sweden. Additionally, children born before 1 April 2015 would acquire citizenship by notification, rather than by automatic acquisition, which is since the case, if certain conditions apply. The number of notifications to become citizen received by the Migration Agency increased throughout the 2014-2018 period. In 2014, 1 824 cases were submitted compared to 12 353 in 2018.

Declaration of citizenship is a provision employed when there is uncertainty about a person's Swedish citizenship, primarily in cases when someone has automatically gained or lost his/her citizenship. The issuing of a declaration of citizenship, after examination of the case, would mean that the applicant's Swedish citizenship is confirmed, or if the application is refused, that the applicant was not a Swedish citizen in the first place.

Amendments to the Act on Swedish Citizenship pertaining to reinstatement were made in in 2015. These made it possible for those that had to renounce their Swedish citizenship before 2001, when dual citizenship became allowed, to regain their citizenship. Reasonably, this provision is of limited importance for third-country nationals.

Specifically with regard to children, it could be added there are three different modes where these automatically acquire Swedish citizenship. After the amendments to the Act on Swedish citizenship made in 2015, a child born to a Swedish citizen, whether female or male, acquires citizenship at birth. This also applies if the parent is deceased and was a Swedish citizen at the time of his/her death. Secondly, a child adopted by a Swedish citizen automatically becomes a Swedish citizen if the child is younger than 12 years. Finally, the children of foreign citizens that are eligible to become citizens by notification automatically acquire citizenship at the same time as their parent/parents under certain conditions. The latter provision is largely aimed at parents that are under 21 years of age.

Figure 3. Total number of applications for citizenship 2014-2018



7 Conditions and requirements for the acquisition of citizenship after birth through ordinary naturalisation

Legal residence required for the acquisition of Swedish citizenship

The main rule is legal residence for a continuous period. This is assessed by both objective and subjective criteria. The objective is that the stay must be legal and the subjective that the individual should have an intention to reside in Sweden. The factual situation aims at objectively identifiable circumstances such as family, housing and employment.³³ The assessment of the period of residence is primarily based on the written information provided in the application. A passport is required to prove the applicant's identity but it is also used by the Swedish Migration Agency to examine if there are any entry and exit stamps that might reveal a longer stay abroad.

The duration of stay is counted from the date the person entered Sweden, if he/she held a permanent residence permit upon entry, or from the date a residence permit was issued.³⁴ Short-term visits abroad are allowed such as holidays, family visits or other similar visits abroad as long as the intention is to reside in Sweden.³⁵ Residence needs to be continuous and permanent. The residence time in the country is regarded as interrupted if the applicant has settled in another country or left the domicile in Sweden.³⁶

The requirement for a permanent residence permit was introduced in the naturalisation clause in 2001 when the Act on Swedish Citizenship entered into force. The applicant may however still be naturalised under section 12 even if the requirements in section 11 are not met, such as the requirement of permanent residence permit. However, this section is applied restrictively.³⁷ Exemptions are possible in case of lost citizenship due to prescription or if an applicant is married to or is cohabiting with a Swedish citizen living abroad.

While the main requirement for naturalisation is continuous domicile for five years, refugees and stateless persons can be naturalised after four years. Stateless children can also receive Swedish citizenship by notification.³⁸ The rules are generally more generous for children. Children holding permanent a residence permit may be granted Swedish citizenship through notification after three years of residence, for

33 Government bill prop. 1999/2000:147, Lagen om svenskt medborgarskap, p. 47.

34 Swedish Migration Agency website, available at: <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/Citizenship-for-adults/Time-in-Sweden.html>, (last accessed 21 October 2019).

35 Government bill prop. Lagen om svenskt medborgarskap, 1999/2000:147, p. 47.

36 Swedish Migration Agency Handbook for Citizenship.

37 Ibid.

38 The Act on Swedish Citizenship, section 6.

stateless children already after two years.³⁹ Finally, citizens from the Nordic countries, i.e. Denmark, Norway, Finland and Iceland, may be granted citizenship after two years of residence in Sweden.⁴⁰

39 The Act on Swedish Citizenship, section 7.

40 Ibid., section 11.

Requirements for the acquisition of Swedish citizenship after application (naturalisation) are the following under the Act on Swedish Citizenship, section 11:

A third-country national can apply for and be granted Swedish citizenship (be naturalised) if he or she

1. has provided proof of his or her identity,
2. has reached the age of eighteen,
3. holds a permanent Swedish residence permit,
4. has been domiciled in Sweden
 - a) for the previous four years in the case of a stateless person or one who is considered to be a refugee under chapter 4, section 1 of the Aliens Act,
 - b) for the previous five years for other third-country nationals, and
5. has led and can be expected to lead a respectable life.

An applicant who cannot provide proof of identity may be naturalised only if he or she has been domiciled in Sweden for at least the previous eight years and can give the authorities reason to believe that the stated identity is correct

If the requirements in section 11 are not met, and unless paragraph 2 provides otherwise, the applicant may still be naturalised (section 12) if the applicant has formerly held Swedish citizenship, the applicant is married to or living in conditions resembling marriage with a Swedish citizen, or there are other special reasons for granting citizenship.

Good conduct required for the acquisition of Swedish citizenship

The third-country national is required to have led and be expected to lead a respectful life under the Act on Swedish Citizenship Act. This does not imply that the third-country national needs to be employed and be debt free to be able to become a Swedish citizen. The requirement is met if the applicant is leading an honest way of life or a decent life, when there is no dishonest intent and the person is doing what could reasonably be expected.⁴¹ Exemptions from the character requirement can be made, for example if the applicant has lived in Sweden considerably longer than is required for naturalisation. This applies primarily to third-country nationals who were born in the country or who came to Sweden at a very young age.⁴²

When assessing the lifestyle, the focus is on how the applicant is expected to conduct himself/herself in the future. However, the assessment is made in the light of what is known about the applicant, for example if he/she has any debts that were passed on to the Enforcement Authority or if he/she has a criminal record. Crimes committed abroad may affect the assessment. Having committed a crime implies that citizenship might not be granted. According to case law, this depends on the nature of the crime and how long since the crime was committed.⁴³ The qualifying period needed depends on the penalty. The more severe the penalty, the longer period is required. A six-year

41 UM 893-12, the Administrative Court in Malmö, <https://lagen.nu/2001:82>, (last accessed 24 October 2019).

42 Swedish Migration Agency Handbook for Citizenship.

43 UM 2564-12, the Administrative Court in Malmö, <https://lagen.nu/2001:82>, last accessed 24 October 2019.

custodial sentence requires at least ten years before citizenship can be granted.⁴⁴ If an applicant was found guilty of repeated offences, a longer qualifying period is usually applied.⁴⁵

Finally, case law has established that a considerable qualifying period is normally needed for an applicant that has been involved in systematic and severe human rights violations, such as torture, murder and extrajudicial killings.⁴⁶ Recently, the Migration Court of Appeal stated that the 25-year qualifying period established in previous case law should be considered as a point of reference. Consequently, the qualifying period might be longer or shorter, depending on the assessment of circumstances in the individual case.

The applicant is not required to submit any documentary evidence to demonstrate that the criteria for good conduct have been met. The Swedish Migration Agency requests information from other appropriate authorities. The following authorities are contacted: the Swedish Enforcement Authority in case of debts, the Swedish Police Authority in case of crimes committed or suspicion of having committed an offence and the Swedish Security Service for security checks.⁴⁷

Requirements for citizenship that have been changed

There are no language requirements in the current Act on Swedish Citizenship. Former language requirements ceased to be applied in the early 1980s. In the preparatory work for the former citizenship act,⁴⁸ it was stated that the level of knowledge in Swedish is of great significance in the naturalisation process. The applicant was required to show his/her knowledge in the Swedish language through a certificate.⁴⁹ Language requirements have regularly been brought up for discussion after they were removed. In 2013, the appointed commission of inquiry on Swedish citizenship proposed a so-called language bonus, an opportunity for people who have a command of the Swedish language to obtain Swedish citizenship after a shorter time. The question to introduce a language requirement resurfaced again in the so-called "73 point Declaration" in January 2019, stating that an approved result on a language and civic orientation test should be needed to be able to become a Swedish citizen. The aim of the proposal is to strengthen the status of Swedish citizenship and to promote an inclusive society.⁵⁰

44 Swedish Migration Agency website, available at: <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/Citizenship-for-adults/Good-conduct.html>, (last accessed 24 October 2019).

45 Swedish Migration Agency Handbook for Citizenship.

46 Government decision 2 September 2004, Ju 2003/262/IM, and Migration Court of Appeal MIG 2007:40.

47 Swedish Migration Agency website, available at: <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/Citizenship-for-adults/Good-conduct.html>, (last accessed 24 October 2019).

48 In the preparatory work for the former Act, Government bill prop. 1950:217 med förslag till lag om svenskt medborgarskap, p. 43.

49 The commission of inquiry, SOU 2013:29, p. 167.

50 Available at: <https://www.socialdemokraterna.se/globalassets/aktuellt/utkast-till-sakpolitisk-overenskommelse.pdf>, (last accessed 21 October 2019).

The government appointed a commission of inquiry to this effect on 24 October 2019. The interim report is due to be presented to the government on 15 October 2020.⁵¹

Furthermore, financial requirements were removed in the 1970s. Previously, to become a Swedish citizen, the applicant was required to provide for himself/herself and his/her family members. However, this ground for assessment became less significant over time.⁵² The applicant was normally considered to fulfil the condition or was granted an exemption and the financial requirement was subsequently removed.

Legal or symbolic commitment are required in some Member States as well as a formal pledge of allegiance. Meanwhile, Swedish citizenship is based on having "a significant link with Sweden". Third-country nationals are subsequently required to establish a sufficient link with Sweden.⁵³ This commitment is based on voluntariness. Municipalities are obliged to offer not only Swedish for immigrants⁵⁴, but also civic orientation to certain newly arrived migrants.⁵⁵ The government has stressed the importance that new arrivals learn the norms and values of Swedish society. In 2018, the government tasked the Jönköping county administrative board to review and revise the education materials applied in civic orientation courses in order to clarify the norms and values of the Swedish society.⁵⁶

51 Terms of reference of the commission of inquiry, "Kommittédirektiv 2019:70 Språk- och samhällskunskapskrav för svenskt medborgarskap och andra frågor om medborgarskap, 24 October 2019, available at: <https://www.regeringen.se/4aaf68/contentassets/d3e450da71d54d-04bf88125bc8875ac8/sprak--och-samhallskunskapskrav-for-svenskt-medborgarskap-och-andra-fragor-om-medborgarskap-dir-2019-70.pdf>, (last accessed 30 October 2019).

52 Government bill prop. 1975/76:136 om ändringar i lagen (1950:382) om svenskt medborgarskap, p. 31.

53 The commission of inquiry, SOU 2013:29, p. 102.

54 Education Act (2010:800) section 28.

55 Civic Orientation Act (2013:156) section 3.

56 Press release from the Ministry of Employment, 15 February 2018, available at: <https://www.regeringen.se/pressmeddelanden/2018/02/samhallsorientering-for-nyanlanda-ska-handla-mer-om-normer-och-varderingar/>, (last accessed 22 October 2019).

8 Procedural aspects for the acquisition of citizenship

Public authorities/agencies involved in procedures for the acquisition of citizenship

The Swedish Migration Agency is the primary government agency responsible for procedures with regard to the acquisition of citizenship for third-country nationals. The Migration Agency receives, examines and takes decisions on applications for citizenship in all the available modes. County administrative boards are responsible for the procedure of acquisition of citizenship by notification with regard to Nordic citizens. Applicants that reside outside Sweden submit their application to a Swedish mission abroad, which then transfers the application to the Migration Agency.

Applications for citizenship are processed at the Migration Agency's office in Norrköping. Currently, six units are assigned to process such applications.

The Migration Courts and the Migration Court of Appeal handle appeals.

In the examination of an application for citizenship, the Migration Agency routinely, and/or depending on the nature of the case, requests information pertaining to the applicant from, for example, The Swedish Police Authority (criminal and suspect records), The Swedish Security Service, The Swedish Enforcement Agency and The Swedish Tax Agency.

Procedures to obtain citizenship through ordinary naturalisation

Applicants that reside in Sweden submit their application (notification) for citizenship to the Swedish Migration Agency online or by using a special form. Applicants that reside abroad submit their application to a Swedish mission. Missions abroad provide forms for applicants, and transfer the application to the Migration Agency.⁵⁷

Currently, the Migration Agency requests that applicants submit their passport at the time when their application will be processed. This practice was introduced in June 2019. Previously, applicants were to attach the passport to the application file. Applicants that need their passport for travel during the application processing can request to have it returned.

Applications need to be signed by the applicant or his/her legal guardian. A proxy cannot sign the application. The applicant can be held legally liable for the information provided in the application.

The Migration Agency examines the application according to the rules of the Act on Swedish Citizenship and other relevant statutes and case law. Applicants are checked against the criminal convictions and suspects registry, which is maintained by the

⁵⁷ This paragraph and following paragraphs are primarily based on information in the Swedish Migration Agency Handbook for Citizenship and the Swedish Migration Agency's website.

Swedish Police Authority. Additionally, consultations with the Swedish Security Service take place. Upon granting an application, a certificate of Swedish citizenship is issued. If the application is refused, the applicant will receive written information on the grounds for refusal.

Procedures are based on written communication and oral interviews are exceptional. Case officers can, as needed, request clarifications and complementary information from applicants via telephone or in writing. Registration for the online services gives the applicant access to a messenger service ("My page") which enables him/her to make enquires about his/her application. Case officers/decision-making officers examine applications and take decisions. A single case officer/decision-making officer can take decisions or it can be required that two officers are responsible, depending of the type of application. In the latter case, a case officer presents the case to a decision-making officer, who takes the formal decision.

Application fees vary depending on the type of application. The normal application fee for an adult is SEK 1 500 (€150). As a rule, fees are waived for children and fees for notification are considerably lower, ranging from SEK 175 to 475 (€ 17,5 to 47,5).

Children included in an application do not pay a fee. Furthermore, stateless persons that have refugee status or hold a refugee travel document (1951 Convention) are exempt from paying fees.⁵⁸

Digitisation of procedures

Applications can be made online via the Migration Agency's website. Applicants need to be 18 years, be able to attach scanned documents and have a valid email address and able to pay the application fee by credit card. To be able to use the online service, an applicant needs to have e-identification or register an account at the Migration Agency's website. Finally, he/she needs to have a Swedish personal identity number [personnummer]. There is technical support available for online services. Information and guidance is available in Swedish and English. The application procedure was not made fully digital, however, until December 2019. Currently applicants that have e-identification can submit their own applications electronically, but not for their family members. In many cases, applications still need to be printed by the applicant, signed and returned to the Migration Agency by post, since the applicant's signature is required. Applicants that cannot print their application papers receive a paper copy within three weeks from when the application was registered. By using the online service, applicants give their consent the Migration Agency can start processing their application before the signed copy was received.⁵⁹

Citizenship procedures at the Migration Agency are digitised to a limited extent. Work to digitise these procedures started in September 2018 by forming a cross-functional team.⁶⁰ The team uses an agile approach and was tasked to simplify the application processing by introducing digitisation. Automated decisions in certain procedures, for example refusals in certain notifications to acquire citizenship, have already been introduced. More specifically, procedures to check compliance with requirements and

58 More detailed information on current application fees to be found at Swedish Migration Agency's website, available at: <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/Fees.html> (last accessed 30 September 2019).

59 More information available at: <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/Citizenship-for-adults/How-to-apply.html>, (last accessed 11 October 2019).

60 Swedish Migration Agency Annual Report [Årsredovisning] 2018.

to make registrations are steps that have already been or plan to be automated. For example, information on an applicant's external border entries and exits is now integrated into the case handling system. This new feature is of a great benefit to case officers, as this information is needed to calculate the duration of an applicant's domicile in Sweden. Automated checks with regard to custody, confirmation of permanent residence and whether an application is duly signed are other examples.

Documentation required in order to submit the application

In order to substantiate his/her identity, applicants as a rule have to submit their passport or a similar identity document issued by recognised authorities in his/her country of origin.⁶¹ Identity is not defined as a legal term in Sweden, but preparatory legislative work and case law have established that the applicant's name, date of birth and as a rule his/her citizenship make up their identity. The document needs to have a recent photo of the applicant. Furthermore, case law has established certain conditions pertaining to such documents. The document needs to be of an acceptable standard and the applicant needs to have been present when it was issued or collected it in person in order to ensure that his/her identity was checked by the issuing state. A (certified) copy of a passport is not considered to substantiate the applicant's identity. However, a copy can be considered relevant evidence if submitted together with other supporting documents. A certificate of identity issued by consular authorities (embassy in Sweden of the applicant's country of origin) and identity documents issued by authorities in another country where the applicant has resided can be deemed relevant evidence as well.

Birth certificates, certificates of baptism, marriage certificates and driving licenses cannot be used to substantiate the applicant's identity. However, they can be considered relevant evidence together with other supporting documents and the applicant's statement.

Parents that have single custody of children that were not born in Sweden need to submit a decision that establishes their right to custody.

Discretion in the decision-making process

The acquisition of Swedish citizenship is not a right per se for the individual. Rather, the authorities have the exclusive right to determine whether an individual should become a naturalised Swedish citizen or not. Examination of the case is discretionary with regard to applicable legislation.⁶² The conditions for acquisition by naturalisation can be waived.

To the contrary, there is no leeway for waivers or discretionary examination of a notification of Swedish citizenship. If the applicant fulfils the requirements, he/she has the right to acquire citizenship. Importantly, however, the applicant needs to fulfil all the requirements by the day the notification was submitted to the Migration Agency. Any changes with regard to the applicant's eligibility after the time of submission of the notification do not influence the decision, even if he/she would not be eligible any longer. Acquisition is considered to take effect on the date of submission of a notification.⁶³

61 Information in this paragraph taken from Swedish Migration Agency Handbook for Citizenship.

62 Preparatory work for the Act on Swedish Citizenship, government bill prop. 1997/98:178 p.15.

63 Government bill prop. 1999/2000:147 p. 75.

To summarise, “absolute discretion” is the norm in naturalisation procedures. Meanwhile, there is no leeway for “absolute discretion” or “conditional discretion” in procedures for acquisition by notification.⁶⁴

Time period for the procedure and prioritised applications

There is no legally prescribed maximum time period for the procedure. The Migration Agency has from time to time established internal time periods for the processing of certain types of cases. Application processing times have increased in the past few years following the high increase in the number of applications. In 2018, application-processing times amounted to 230 days compared to 152 days in 2014. Processing times refer to applications for naturalisation and include all applications. Processing times for applications by notification were somewhat shorter and amounted to 96 days in 2018. Application processing times for third-country nationals have been somewhat shorter in the past four years than those for EU/EEA and Swiss nationals.⁶⁵

Over the 2014-2018 period, the Migration Agency has prioritised or fast-tracked certain cases. Up until 2018, complete and “ready to finalise” applications, notifications (since these pertain to children and young adults), independent applications for naturalisation from children, applications where children were reaching majority age and applications from stateless applicants were prioritised. In 2018, the Migration Agency’s citizenship units were facing an increased administrative burden following the entering into force of new administrative legislation [Förvaltningslag (2017:900)], which gives applicants increased legal rights to request their case to be finalised if lodged more than six months ago. In 2019, a formalised list was established for the first time that prioritised such applications, complete applications, “ready to finalise” applications, notifications and applications from British applicants pending Brexit.⁶⁶

Challenges experienced regarding the verification of the identity of naturalisation applicants

As mentioned previously, a passport or a national identity card with a photo is required for the applicant to substantiate his/her identity.⁶⁷ The relevant authority must have issued the document and the applicant must have applied for it by himself/herself and/or collected it. Normally, if the identity document submitted by the applicant was issued before he/she came to Sweden, the Migration Agency makes no further examinations about the issuing. However, circumstances around the issuing of a document is a common reason to request further information from the applicant. According to case law, an applicant can also refer to information from a close family member to support his/her identity. The family relation needs to be verified and the family member needs to have substantiated his/her own identity and as a rule be a Swedish citizen. Such cases are not frequent, but this practice constitutes a possibility to receive citizenship for those applicants that for various reasons cannot substantiate their identity by means of identity documents.

Challenges pertaining to the verification of identity are common and refusals due to “identity not verified” in applications from third-country nationals account for nearly

64 Absolute discretion means that the state may leave authorities absolute discretion to grant naturalisation to applicants, whether or not they meet the legal requirements. Conditional discretion means authorities only have limited grounds to reject applicants who meet the legal requirements.

65 Migration Agency Official Statistics, Migration Agency Annual Reports.

66 Swedish Migration Agency, Division for Citizenship.

67 UN 9309-0797 1994-03-14.

all refusals due to that reason. Overall, challenges are more common with regard to applicants that have received their residence permit in asylum procedures than in legal migration procedures, the obvious reason being that evidence requirements concerning identity are lower in asylum procedures.

Challenges of a general nature are that identity documents occasionally can prove to be counterfeit or falsified and/or that they have been issued based on insufficient information. For example, unreliable or inaccurate civil records or procedures for the issuing of identity documents in a country can result in a situation where the identity documents produced by the applicant are not considered to substantiate his/her identity. The citizenship units have document checking devices such as passport readers, loupes and ultraviolet lamps as well as access to reference databases such as Keesing's document checker to assist them in the examination of identity documents. Documents that require further examination are sent to the Migration Agency's Unit for Biometrics and Document Verification where verification specialists examine them. This unit also coordinates and reports cases of suspected document forgery and falsification to the Swedish Police Authority.

It is uncommon that an applicant's identity claims as such are called into question by the Migration Agency. The most frequent challenge is rather that the identity documents produced do not meet the requirements stipulated in order for his/her identity to be substantiated.

A challenge for both applicants and the Migration Agency is that identity documents from some countries either are not deemed to substantiate the applicant's identity at all (Afghanistan, Somalia) or may require special consideration (Iraq, Eritrea, stateless Palestinians). The Migration Agency has published information on its website about such documents, aimed at potential applicants.⁶⁸

A particular challenge are applicants that have refugee status and do not have sufficient identity documents to substantiate their identity. Refugees are eligible to acquire citizenship after four years, but since these, as a rule, are unable to contact the authorities (embassy) of their country of origin, the requirement to support their identity often means that those that are unable to do so have to wait at least eight years to receive citizenship. Importantly however, documents do not need to be valid in order to support an identity claim. Hence, a passport that has expired may well be used to support someone's identity. Finally, some other identified challenges are applicants that have changed their identity information during the asylum procedure and young adults that claim to be children.

Common grounds for refusal and the right of appeal

The Migration Agency started to register grounds for refusal in 2005. Currently, about a dozen grounds for refusal can be registered in the case handling system. Some refer to a singular ground for refusal whereas a number refer to two different grounds for the refusal of the application. Third-country nationals account for the bulk of applications of citizenship and over 90 per cent of refusals.

In 2014-2018, "insufficient period of domicile", "identity not verified" and "criminal record", were the top 3 reasons for refusal. A closer look at the data for registrations of grounds for refusal reveals that "insufficient period of residence" in combination with

68 More information available at: <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/Citizenship-for-adults/Proven-identity/Migration-Agency-assessment-of-identity-documents.html>, (last accessed 30 October 2019).

other grounds for refusal, in particular “identity not verified”, accounts for a noticeable number of refusals as well. The top three registered grounds for refusal account for the bulk of refusals and “insufficient period of residence” comes across as the major ground for refusal. In 2014, the three top reasons for refusal accounted for around 80 per cent of refusals and in 2018 for around 85 per cent of refusals. The two grounds “identity not verified” and “criminal record” account for nearly the same number of refusals all told in 2014-2018, but there was a high increase in the number of refusals due to “identity not verified” in 2018.

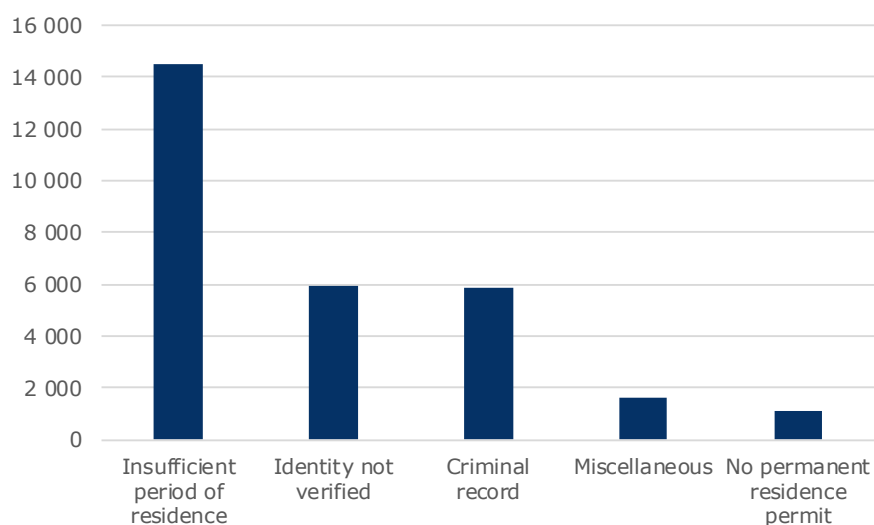
Notably, some of the top grounds for refusal, such as “insufficient period of residence” and “no permanent residence permit” refer to basic formal requirements that applicants need to comply with to be eligible in the first place.

The Migration Agency’s decision to refuse an application for citizenship states the grounds for refusal. The decision can be appealed against to a Migration Court. Currently, the Migration Court in Malmö handles appeals. Leave to appeal is required for a case to be considered by the Migration Court of Appeal.

The applicant (or his/her legal representative) has to submit the appeal in writing. An appeal has to be submitted to the Migration Agency within three weeks of the date when the applicant received it. Normally, applicants are informed of the decision via registered mail. As a rule, the date of reception, as indicated by the receipt, is considered the date when the applicant was informed. Upon receiving an appeal, the Migration Agency is obliged to review the decision. If re-examination does not change the decision, the Migration Agency examines whether the appeal was submitted on time and sends the file, including a statement, and any additional supporting documents in the appeal, to the Migration Court.

There are special appeal procedures for applications that have been refused due to national security or security concerns, following a recommendation from the Swedish Security Service. Such appeals are made to the government, and can be appealed by the Security Service as well.

Figure 4. Top 5 reasons for refusals in citizenship applications 2014-2018



Support and information to applicants during the application process

There is no government support per se in the form of personalised counselling for example. However, the Migration Agency offers a range of possible support services to potential applicants. Anyone that considers applying for citizenship can contact the Migration Agency's contact centre (or switchboard) by telephone or send his/her queries by email.

The Migration Agency has information on its website aimed at those that consider applying for Swedish citizenship. Information is available in Swedish and English. Under the heading "What does Swedish citizenship mean?", the legal definition of citizenship is firstly explained. Furthermore, the "benefits" of Swedish citizenship are described, such as the right to vote and/or be a candidate in parliamentary elections and have access to occupations restricted to Swedish citizens.. Finally, there is information on the advantages and risks of having dual citizenship, in the latter case for example with regard to the possibilities to receive consular assistance.⁶⁹

Furthermore, the website has detailed information on the basic requirements applicants need to fulfil to be eligible. There is also a list of FAQs (frequently asked questions), designed to facilitate for applicants. Additionally, there is an interactive "citizenship guide" [Testa om du kan bli medborgare] on the Migration Agency's website. The guide is a step-by-step procedure where potential applicants can reply to simple questions about their age, current citizenship, type of residence permit, duration of domicile, marital status, criminal records, identity documents and other questions in order to determine their eligibility.⁷⁰ Finally, applicants can take advantage of the messenger service incorporated into the "My page" online services, which enables the applicant to ask questions and receive answers about their pending case. The Migration Agency has not carried out user surveys of the information and services provided.

69 More information available at: <https://www.migrationsverket.se/English/Private-individuals/Becoming-a-Swedish-citizen/What-does-Swedish-citizenship-mean.html>, (last accessed 25 October 2019).

70 More information available at: <https://www.migrationsverket.se/Privatpersoner/Bli-svensk-medborgare/Medborgarskap-for-vuxna/Testa-om-du-kan-bli-svensk-medborgare.html>, (last accessed 25 October 2019).

9 Dual citizenship

Third-country nationals are not required to renounce their citizenship to acquire Swedish citizenship. The amendment came with the current Act on Swedish Citizenship that entered into force in July 2001. A number of reasons were given by the government in 1999 to introduce dual citizenship.⁷¹ Firstly, the number of Swedish citizens both working and studying abroad had increased as well as immigration to Sweden and a higher number of family formations included different citizenships. For these reasons, more people feel connected to more than one country. Consequently, it could be difficult for people to renounce their former citizenship with everything that is linked to it such as identity, traditions and cultural heritage. Secondly, the government stated that the requirement to relinquish the former citizenship in order to become a Swedish citizen could dissuade some individuals from applying at all. Finally, it was also taken into account that there were already in 1999 a large number of residents with dual citizenship in Sweden. Practice at the time was that children whose parents had different citizenships were given dual citizenship and refugees were not required to renounce from their former citizenship when they became naturalised. In effect, this meant that Sweden already accepted dual citizenship. At the time, the government addressed the question of security concerns in relation to dual citizenship as a possible challenge. It was stated that dual citizenship could entail an increased risk for crimes directed at government interests.⁷² This assessment was based on the concern that dual citizenship can lead to loyalty conflicts. Ultimately, however, it was considered that the advantages outweighed the disadvantages to allow dual citizenship.

The previous assessment was reconfirmed in the report of the commission of inquiry in 2013.⁷³ The introduction of dual citizenship in 2001 so far did not have any negative consequences, the report said. Several authorities such as the Swedish Migration Agency, the Swedish Armed Forces, the Security Service, the Election Authority and the Ministry for Foreign Affairs were consulted regarding the implementation of dual citizenship and its outcomes. According to their view, the current challenges would have occurred even if Sweden had not allowed dual citizenship. The inquiry also addressed benefits such as increased opportunities for circular migration. The number of Swedish citizens holding dual citizenship is similarly estimated to have doubled to 600 000 in 2012 compared to in 1997. This is however, an assumption based on estimations made by the Swedish Migration Agency and Statistics Sweden. No statistics are available, as dual citizenship is not registered in Sweden.

Challenges with dual citizenship

There are no particular restrictions or fewer rights for third-country nationals holding dual citizenship. Persons holding dual citizenships are however in a particular situation that can become problematic in certain situations. One example is if consular assistance is needed in the other country of citizenship. The opportunities for a state to act is dependent on to what extent the other state allows an intervention. Anyone who is holding dual citizenship is for this reason in a more vulnerable situation. A problem is that not many citizens holding dual citizenships are aware of this situation.⁷⁴ To ad-

71 Government bill prop. 1999/2000:147 Lagen om svenskt medborgarskap, p. 18.

72 Ibid., p. 23.

73 Det svenska medborgarskapet SOU 2013:29, p. 235.

74 Det svenska medborgarskapet SOU 2013:29, p. 236.

dress this challenge both the Ministry for Foreign Affairs and the Swedish Migration Agency disseminate information in order to raise awareness. It should be noted that responsibility lies on the individual to find out what the situation is in the other country of citizenship.

The Swedish Migration Agency provides information on its website on the implications of having dual citizenship.⁷⁵ The Migration Agency also attaches such information to its decisions to issue citizenship to an applicant. For example, new residents are informed what Swedish citizens holding dual citizenship need to know and to consider and that the rights and obligations linked to the previous citizenship are still valid if that citizenship is retained.

The Ministry for Foreign Affairs provides information on its website, in brochures and through the app entitled "Resklar". Marriage, custody of children, travelling with two passports or falling ill abroad are among the questions raised that could become problematic for those holding dual citizenships. Marriage entered or divorces decided in Sweden are not recognised in all other countries. This also applies to decisions regarding custody of children. Different rules in different countries can mean that Sweden can do very little to help Swedish citizens with dual citizenship that are present or residing in their other country of citizenship.⁷⁶

Another field where Swedish citizens with dual citizenships have experienced problems is compulsory military service. However, according to the Total Defence Service Act⁷⁷ even if the other state is not a party to the 1963 Vienna Convention on Consular Relations, a person holding dual citizenship can be exempted from military service. This applies if military service is completed in the second country of origin.⁷⁸

75 Swedish Migration Agency website, available at: <https://www.migrationsverket.se/Privatpersoner/Bli-svensk-medborgare/Vad-innebar-svenskt-medborgarskap.html>, (last accessed 17 October 2019).

76 Ministry for Foreign Affairs leaflet regarding dual citizenship, available at: https://www.regeringen.se/49d5dd/contentassets/e8aa8ee454c54c55884affd1d86e8804/26108-dubbelt-medborgarskap_en.pdf, (last accessed 17 October 2019).

77 Lagen om totalförsvarsplikt (1994:1809)], chapter 4, section 3.

78 Government bill prop. 1999/2000:147 Lag om svenskt medborgarskap, p. 22).

10 Citizenship and integration

Citizenship and knowledge of the Swedish language – incentives for integration

The overall objectives of Swedish integration policy are equal rights, obligations and opportunities for all regardless of ethnic and cultural background. A more specific objective is to increase civic participation, to foster a sense of belonging and to promote foreign born residents to become active members of the Swedish society.⁷⁹ A Sweden that keeps together is a key policy objective that was also highlighted in the 2013 the commission of inquiry report.⁸⁰ This is where citizenship is expected to play a more active role, to both be the glue that holds the people together and to contribute to promoting active citizens. Hence, the government has stated that third-country nationals striving for Swedish citizenship should be encouraged.

The 2013 commission of inquiry was tasked, inter alia, to consider whether citizenship to a greater extent could be used as an incentive to promote integration.⁸¹ In this context, knowledge of the Swedish language is often considered to be of great importance since it enables access to important information and knowledge of Swedish society. Knowledge of Swedish is also needed to be able to take part in civil society and the democratic process and to be able to find work. The objective has been to design the rules for naturalisation in such a way that they clarify the link between knowledge of the Swedish language and the link to Sweden. The acquisition of citizenship is subsequently a part of the integration process. Ultimately, a person that wishes to become a Swedish citizen should also strive to learn the Swedish language as soon as possible. If achieved, the outcomes are assumed to be positive for integration.

Swedish citizenship, however, also needs to be perceived as attractive enough for third-country nationals. The challenge is that the requirements for naturalisation cannot become too demanding so as not to risk fewer applications for citizenship. Meanwhile, there is a need to maintain the attractiveness so as not to risk diminishing its value.⁸²

Citizenship and the period of residence – facilitation of labour market integration

The Institute for Evaluation of Labour Market and Education Policy (IFAU), a research institute under the Ministry of Employment, published a report in 2014 regarding citizenship and its impact on the labour market and on starting a family. The report analyses whether the acquisition of Swedish citizenship contributes to a better position on the labour market.⁸³ The researchers came to the conclusion that there is a relationship between the acquisition of Swedish citizenship and labour market integration. The likelihood of being employed and having a better annual income increases if the

79 Government bill prop. 2012/13:63.

80 Det svenska medborgarskapet SOU 2013:29 p. 152f.

81 Ibid., p. 149

82 Ibid., p. 156.

83 Institutet för arbetsmarknads- och utbildningspolitisk utvärdering (IFAU), Rapport 2014:9, Medborgarskap, arbetsmarknaden och familjebildning, 12 May 2014.

foreign-born person has acquired Swedish citizenship. However, the report found that the position on the labour market was boosted in the years prior to naturalisation. The acquisition of citizenship per se was for this reason not the only factor to strengthen the position of the foreign-born on the labour market. Other factors improving their situation on the labour market were the decision to stay in Sweden or the desire to better integrate in the labour market, which affect both the choice to become a citizen and the position on the labour market.

The results of the IFAU report were reconfirmed in the 2013 commission of inquiry report regarding citizenship as an incentive to promote integration. The report pointed out that there is no or very limited evidence that holding citizenship leads to a better position on the labour market.⁸⁴ The report highlighted the importance of knowledge of the Swedish language to find a job in Sweden.⁸⁵ As pointed out in the EMN focussed study Labour market integration of third-country nationals in EU Member States, it takes on average more than five years for foreign-born persons to enter the Swedish labour market.⁸⁶ Five years is as well the normal period required to be eligible to apply for Swedish citizenship. In conclusion, these findings show that there is a relationship between the period of residence in Sweden, the level of proficiency in the Swedish language and the position on the labour market.

There are, however, jobs that are only available for Swedish citizens such as employment at the Swedish Police Authority, in the Swedish Armed Forces and some positions in the judiciary and government offices. To acquire Swedish citizenship subsequently becomes a necessity for persons aspiring for those jobs.⁸⁷ Swedish citizenship also means an unconditional right to enter and reside in the country. For posts that involve travel to other countries this might as well be a reason to apply for Swedish citizenship. Hence, for jobs where Swedish citizenship is required, citizenship per se strengthens the person's position on the labour market. However, more generally it is the period of residence in Sweden and the level of proficiency in the Swedish language that facilitate labour market integration.

Few differences in access to rights and entitlements between residency and citizenship

In the post war period, Swedish citizens and third-country nationals legally residing in the country have increasingly been placed on an equal footing in terms of rights. The decisive factor is instead domicile in Sweden and registration in the Swedish population register. If domiciled in Sweden, the rights and obligations of third-country nationals are largely the same as those of Swedish citizens. Third-country nationals enrolled in the Swedish population register have access to the Swedish social insurance system and the education system, health care and other social services provided to Swedish citizens. However, the legal status between some groups of non-Swedish citizens varies. For example, citizens from the Nordic countries have for long been equated with Swedish citizens and this is also the case of EU citizens and citizens of countries within the European Economic Area (EEA) and Switzerland.⁸⁸

84 Det svenska medborgarskapet SOU 2013:29, p. 153.

85 Ibid., p. 178.

86 Report from EMN Sweden 2018:1, p. 19, available at: <http://www.emnsweden.se/download/18.748d859516793fb65f91870/1551267899736/Labour%20market%20integration%20of%20third-country%20nationals%20in%20EU%20Member%20States%20-%20Country%20Report%20Sweden.pdf>

87 IFAU, Rapport 2014:9, Medborgarskap, arbetsmarknaden och familjebildning, p. 5.

88 Det svenska medborgarskapet SOU 2013:29, p. 77.

There are, however, some differences and advantages connected to holding Swedish citizenship. The most significant one, stated in the Instrument of Government, is the unconditional right to reside in Sweden, which is only applicable to Swedish citizens.⁸⁹ There are also some special limitations that might be introduced for foreign nationals such as freedom of expression, freedom of information, freedom of assembly, freedom to demonstrate, freedom of association and freedom of worship, if prescribed by law.⁹⁰ Another area where there are limitations is diplomatic and consular protection and assistance to citizens abroad. Swedish citizenship is normally a condition to have access to diplomatic and consular protection and economic assistance.⁹¹ Sweden does have certain obligations to other citizens but those include mainly European Union citizens and citizens from the Nordic countries Norway and Iceland.

Another difference is the right to participate in parliamentary elections, which is limited to Swedish citizens. The right to vote and eligibility to stand for election in parliament is stated in the Instrument of the Government.⁹² Persons that have the right to vote in an election to the Swedish parliament also have the right to vote in Sweden's elections to the European Parliament. In elections to municipal/regional councils, third-country nationals have the right to vote if they were registered for three consecutive years in Sweden before election day.⁹³

Another area where there are still some differences is the access to certain types of employment. The main principle was for long that Swedish citizenship is required to hold government employment or assignments. Since quite some time, however, restrictions have gradually become more relaxed. Requirements for Swedish citizenship have either been completely removed, or been made less far-reaching. In some cases, the regulation was moved from constitutional acts to statutes. The current main principle is that no distinction is made between Swedish citizens and third-country nationals when it comes to eligibility for public employment or assignments.⁹⁴

Members of parliament, however, must be Swedish citizens. The same applies to cabinet ministers, the Head of State and the ordinary judge, the Chancellor of Justice, the Parliamentary Ombudsmen and the Auditor General.⁹⁵ Furthermore, only Swedish citizens can become a judge or perform judicial functions.⁹⁶ Moreover, the Riksdag Act,⁹⁷ states that that only Swedish citizens may hold assignments that are appointed through the election of parliament. Access to classified employment at government level and regional/local authorities is also in general only available for Swedish citizens according to the Security Act.⁹⁸ However, the requirement of Swedish citizenship does not apply to participation in activities that may give rise to a background investigation. The government may on a case-by-case basis grant exemptions from the requirement for Swedish citizenship.

89 Regeringsformen chapter 2, sections 7-8.

90 Ibid., chapter 2, section 25.

91 Act on consular assistance [Lag (2003:491 om konsulärt ekonomiskt bistånd] sections 3-5.

92 Regeringsformen, chapter 3, Art 4.

93 Kommunallagen 2017:725 chapter 1, section 7.

94 Det svenska medborgarskapet SOU 2013:29, p. 81.

95 Instrument of government, chapter 5 section 2, chapter 6 section 2, and chapter 12 section 6.

96 Ibid., chapter 11, section 11.

97 Riksdagsordningen chapter 7, section 11.

98 Säkerhetskyddslagen 2018:585.

The Law on civil servants⁹⁹ stipulates citizenship requirements for military employment and employment as a prosecutor or police officer. Furthermore, according to same law, the government may prescribe or, in particular cases, decide that only Swedish citizens may have certain specified types of state employment. Finally, there are some statutes that stipulate that certain positions can only be filled with Swedish citizens. For example, the Regulation with the statute for the Swedish Enforcement Authority¹⁰⁰ states a requirement of Swedish citizenship for the employment as a senior enforcement officer.

Finally, for employment that requires international mobility, having Swedish citizenship and a Swedish passport can be an advantage, particularly for nationalities for which many states impose visa requirements.¹⁰¹

Support after the acquisition of citizenship

Becoming a Swedish citizen does not bring that many differences or new rights. Support given to new citizens is subsequently limited. Measures to facilitate the integration into the Swedish society are more targeted to facilitate the learning of the Swedish language, to get access to education or to the labour market. These measures are above all not limited to those holding a Swedish citizenship.

Becoming a Swedish citizen however, gives the right to vote in parliamentary elections and to the European Parliament. A long-standing policy objective for democracy has been to achieve a high and even election turnout as well as politically active citizens.¹⁰² The Migration Studies delegation (Delmi) published a report on this issue in 2017. The findings of the report were that foreign-born residents participate to a much lower degree in general elections than those born in the country. There has been an increase in political representation among the foreign-born, but it is still an underrepresented group. A challenge is how to encourage new citizens to become politically active. One problem is the lack of research regarding the most effective methods. There is some support that meetings and interaction with voters have positive effects. Some municipalities have appointed so-called democracy ambassadors [demokratiambassadör] before elections. In doing so, local authorities have used a bottom-up perspective and have strived to involve those whom the measures are aimed for.¹⁰³ Another example are events that have been organised in conjunction with elections to the European Parliament. "This time I'm voting", was an event launched by the office of the European Parliament in Stockholm in 2019.¹⁰⁴ Local authorities have also taken initiatives to encourage residents to vote in elections to the European Parliament.¹⁰⁵ These events have however not been aimed only to new Swedish citizens but all eligible voters.

99 Lagen om offentlig anställning 1994:260], section 5.

100 Förordning (2016:1333) med instruktion för Kronofogdemyndigheten], section 13.

101 IFAU, Rapport 2014:9, Medborgarskap, arbetsmarknaden och familjebildning, Mattias Engdahl, 2014-05-12.

102 Delmi report 2017:7, Valdeltagande och representation: - Om invandring och politisk integration i Sverige, p. vii, 2017.

103 Ibid., p. x.

104 Sveriges television, 6 may 2019, available at: <https://www.svt.se/kultur/europaparlamentet-varvar-microinfluera> (last accessed 16 October 2019).

105 Borlänge municipality website, 13 May 2019, <https://www.borlange.se/kommun-och-politik/euval-2019/den-har-gangen-rostar-jag/> (last accessed 16 October 2019). In addition, information events were organised at public libraries. More information available at: <https://bibliotek.solna.se/sv/event/f%C3%B6rel%C3%A4sning-eu-valet-26-maj-den-h%C3%A4r-g%C3%A5ngen-r%C3%B6star-jag> (last accessed 16 October 2019).

“This time I’m voting” [Den här gången röstar jag] was an event launched by the Swedish office of the European Parliament to increase voter turnout in advance of the European elections in May 2019. Micro influencers were recruited and then provided with information related to the EU that they shared upon interacting with potential voters.

Campaigns to mobilise people to vote have generally been carried out a couple of months before election day. These short time frames have been criticised by both social scientists and by those taking part in the campaigns, as political socialisation happens gradually over a long period. The Delmi report highlighted the need to combine the appointment of democracy ambassadors with other measures.¹⁰⁶ The focus on the election campaign also risks leading to increased mistrust. Officials and politicians who only visit socially stigmatised suburbs and neighbourhoods at election time can cause mistrust as this can be perceived as short term vote-catching. According to the report, the problem of a lower voter turnout will also remain if the causes are not addressed. Overall, the introduction of democracy ambassadors was perceived as successful. However, more research is needed according to the report.

Associations for ethnic minorities are also regarded to play a role, both as platforms for political participation and as a breeding ground for democratic and political activities.¹⁰⁷ To be able to play this role, associations have received political and financial support from both the state and local authorities since the mid-1970s. This is also in line with the overall objective of integration policy, i.e. to give associations an active role to combat social exclusion and to promote citizens’ involvement and participation in policymaking. To examine the role of associations, Delmi studied 106 associations in Stockholm. The report provides some support to the assertion that participation in associations promotes political involvement.¹⁰⁸ However, membership in ethnic associations per se is not sufficient in this regard, the report says. Nonetheless, they serve as an entry point to other associations, which in turn can lead to increased political mobilisation.

Citizenship ceremonies

Since 1 April 2015, municipalities are obliged to organise citizenship ceremonies at least once a year. At the time, the government stated that citizenship ceremonies were introduced to celebrate the acquisition of citizenship and mark its importance for inclusion into Swedish society. The vast majority of municipalities organise their ceremonies on Sweden’s national day 6 June. Municipalities can decide on the forms and contents of ceremonies, but ceremonies must convey the meaning of Swedish citizenship, as stated in the preamble of the Act on Swedish Citizenship. Participants are often welcomed with a speech by the head of the municipal government. New citizens are often given a certificate of participation, and/or a small gift and a Swedish flag, and participants sing the national anthem together. Refreshments/buffet can be served and there is sometimes musical entertainment, sometimes in combination with other cultural activities and special activities for children. The head of municipal or regional government often signs the certificates issued, but these do not have a legal value.

The target group are residents of the municipality that have acquired citizenship (not

106 Delmi report 2017:7, Valdeltagande och representation: - Om invandring och politisk integration i Sverige, p. vii, 2017, p. 196.

107 Ibid., p. 142.

108 Ibid., p. 164.

by birth) in the past 18 months, including both adults and children. Participation is voluntary.

Country administrative boards [Länsstyrelse] were tasked to co-ordinate and disseminate information and guidelines to support municipalities in organising ceremonies. There is a dedicated webpage maintained by the County Administrative Board of Västerbotten that provides examples of good practices with regard to citizenship ceremonies.¹⁰⁹

Finally, evaluations have analysed the introduction and development of citizenship ceremonies in the municipalities since 2015. Reports show that nearly all municipalities organise ceremonies and that participation in 2015-2016 was on average up to 40 per cent. Results indicate that the target group considers the ceremonies important, but that more communication with municipalities in advance of the ceremony would be desirable.¹¹⁰

11 Concluding remarks

These concluding remarks aim at highlighting and discussing the major developments in Sweden pertaining to the acquisition of citizenship in 2014-2018. Swedish citizenship builds primarily on three guiding principles. Firstly, the *ius sanguinis* principle is arguably still the prevailing legal base for the acquisition of Swedish citizenship. Overall, however, domicile in Sweden is often a more important requirement for the acquisition of citizenship. Secondly, the reduction or avoidance of statelessness must be considered as a guiding principle. This is particularly the case with regard to legal development since 2014. Finally, the right of the child to acquire citizenship comes across as another important principle. Notably, some of the amendments made to the Act on Swedish citizenship in 2014 aimed at facilitating the acquisition of citizenship for children and young adults. Like in many other states, citizenship has a symbolic and formal meaning in Sweden. Arguably, policy developments in the past few years have further emphasised the symbolic meaning, for example by the introduction of citizenship ceremonies, and the government's stress on "a link to Sweden" as a fundamental building block of Swedish citizenship.

In recent years, citizenship has been increasingly discussed in relation to integration. Arguably, the prevailing view has been to consider citizenship as a means for immigrants to become integrated, rather than as an award after having successfully integrated. Interestingly, limited research seems to have been carried out on the effects of citizenship on integration overall or integration on the labour market in Sweden. The question of how citizenship can or should be an incentive to learn Swedish and integrate into Swedish society is an ongoing debate and appears to have some inherent challenges as well. For example, tougher requirements for the acquisition of citizenship might lead to fewer immigrants becoming naturalised, and if requirements are too lax, the importance of citizenship could risk becoming diminished. In recent policy and political debate, many debaters have argued for the need to strengthen the status of Swedish citizenship. Further to this, the most recent policy developments with regard to increased requirements for citizenship indicates a policy shift inasmuch as it will be less of a priority that as many as possible can or should become Swedish citizens. Rather, it will be of more importance that those that do become naturalised adhere to certain requirements. It should be added in this context, that long-term developments pertaining to rights and entitlements have meant that there are limited differences between the rights of Swedish citizens and third-country nationals with permanent residence in Sweden. The right to vote in parliamentary elections and stand as a candidate, to have access to employment restricted to Swedish citizens and having a Swedish/EU passport are probably the most noticeable additional rights that citizenship brings for most people.

Policy development in 2014-2018 has moved in a restrictive direction with regard to the acquisition of citizenship. For example, the legislative amendments made in 2014 largely facilitated for certain groups, in particular children and young adults, to become citizens. Meanwhile, recent policy initiatives have largely focused on tougher requirements (language/civic orientation tests) and measures in relation to crime prevention (honour crimes), or to make it more difficult to become a citizen for children nearing majority age that have a serious criminal record. Interestingly, the government as well as other stakeholders have cited integration as an important driver for both the 2014 legislative amendments as well as the 2019 policy initiatives on a language/civic orientation tests.

As already mentioned, integration has been a frequent theme in public and policy debate with regard to the acquisition of citizenship. However, debates in 2014-2018 have more and more tended to focus on tougher requirements for the acquisition of citizenship and including the possibility to revoke citizenship. Revocation of citizenship is, however, not in the remit of the inquiry appointed in 2019. Whether or not to impose a language requirement for the acquisition of citizenship has been subject to debate since the 1980s and was already included in the remit of two previous inquiries (in 1999 and in 2013). It certainly comes across as the major issue in debate on citizenship. Until recently, it was considered that the disadvantages of a language requirement outweighed the advantages. For instance, it was believed that fewer immigrants would become naturalised, that disadvantaged groups would in effect be excluded and that it would ultimately have a negative effect on integration. Interestingly, the lines of argument employed touch upon another common guiding principle practised in integration in Sweden, namely the large degree of voluntariness. For example, it has been considered the responsibility of the immigrant to learn Swedish, and the responsibility of the state was to guarantee the conditions and facilities for language learning etc. The introduction of citizenship ceremonies was also preceded by a discussion on whether these should be voluntary or not, and it was ultimately decided that participation should be voluntary. In the most recent official evaluation of citizenship ceremonies in 2017, it was concluded that participation in these on average is up to 40 per cent of invitees, which by all accounts comes across as rather low. Participation has remained at that level since ceremonies became obligatory for municipalities to organise in 2015. Municipalities have discussed and identified various incentives that could serve to increase participation, but there is no up to date evaluation of these.

The high increase in immigration to Sweden in the 2010s, and not least the high numbers of beneficiaries of international protection that have received residence permit has contributed to the administrative burden and challenges at the Swedish Migration Agency. Since 2018, applications for citizenship are the most common type of case processed. The number of applications are now twice as many as in 2016 and there is a backlog of 100 000 applications. Currently six units process applications for citizenship, which is a considerable increase compared only to a few years ago. The vast majority of the top 10 countries are those from which Sweden has received high numbers of beneficiaries of international protection, for example Syria, Somalia, stateless (Palestinians) and Afghanistan. The most common ground for refusal in applications for citizenship from third-country nationals is "insufficient period of domicile". However, the number of refusals due to various grounds connected to the verification of identity has increased in the past year, which indicates a growing challenge. More specifically, it is often the case that the identity documents produced by the applicant have not been issued in a satisfactory manner or that the document themselves do not meet the required standards. Realistically, these challenges were anticipated since many beneficiaries of international protection come from countries that are fragile/failed states etc. and might not be able to substantiate their identity for various reasons. Citizenship procedures are digitised to a limited extent so far, but this work has gained momentum recently.

The Migration Agency provides information to applicants on its website, including the rights of citizens and possible challenges of holding dual citizenship. It is possible to apply online, but online services are not fully developed. There are few examples of support per se in the application process. On a related note, municipalities have taken measures to boost political participation amongst new citizens, for example by informing them of their right to vote in advance of elections. Possibly, the limited examples of support measures identified in the study is connected to the fact that citizenship gives few additional rights. However, information initiatives often seem to be directed towards precisely those rights, i.e. political rights and other additional rights that holding citizenship brings, including any complications (for example awareness of possible difficulties with consular assistance) dual citizenship might give rise to.

About the EMN

The European Migration Network (EMN) is an EU funded network, set up with the aim of providing up-to-date, objective, reliable and comparable information on migration and asylum for institutions of the European Union, plus authorities and institutions of the Member States of the EU, in order to inform policymaking. The EMN also serves to provide the wider public with such information. The EMN was established by Council Decision 2008/381/EC adopted on 14 May 2008. The Swedish Migration Board is the Swedish National Contact Point (NCP) for the EMN.

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