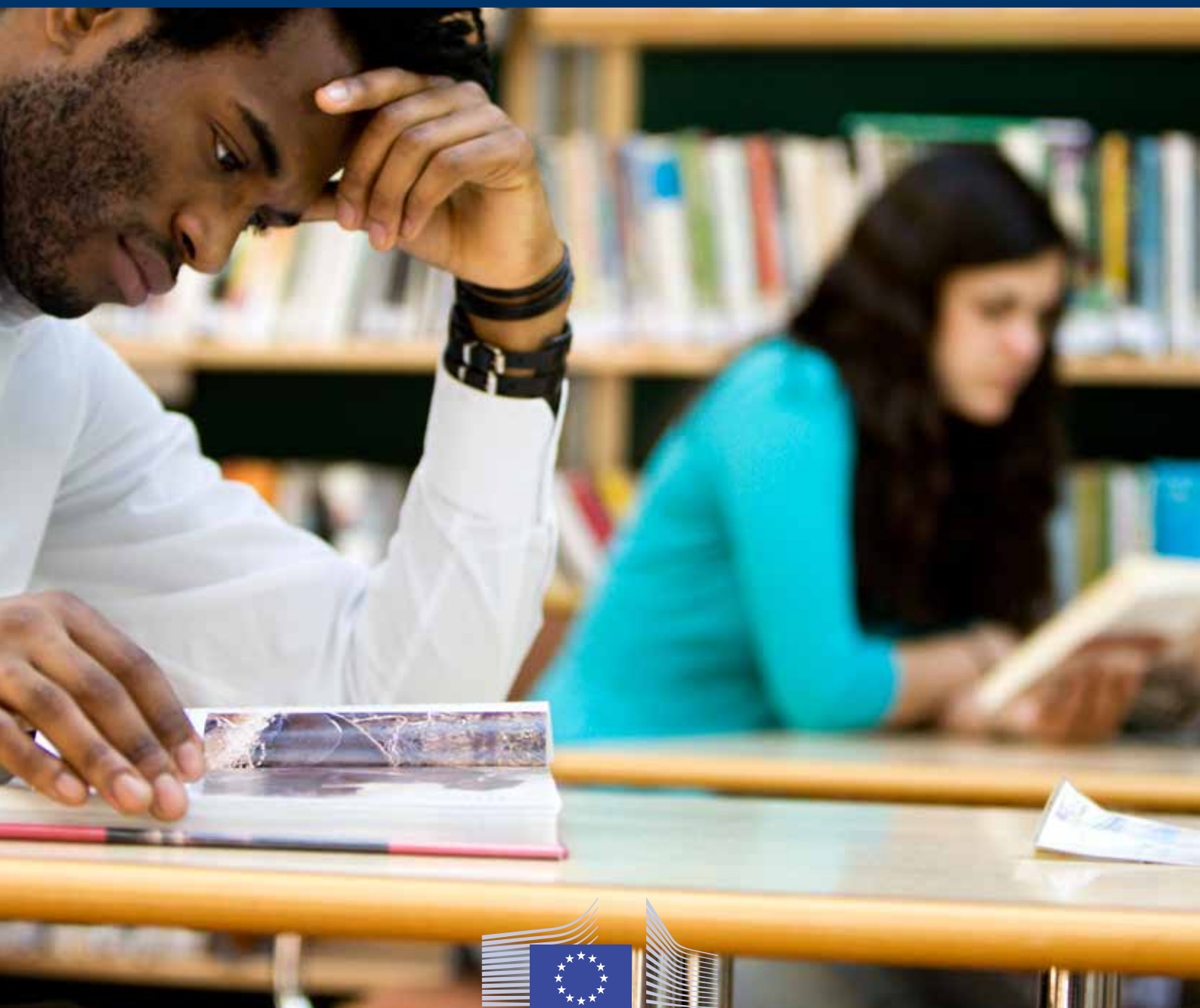


Report from EMN Sweden 2012:1

Immigration of International Students to Sweden



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Summary

From a global perspective but also in a European context, it has become more common for young people to choose to study abroad at higher education institutions or universities, either for a set short-term period or for their whole academic career. According to the OECD, the number of students registered at a university or higher education institution outside of their country of origin has increased from 0.8 million in 1975 to 3.7 million in 2009. Within the EU, admissions and residency of students from countries outside the EU ('third-country students') has also increased considerably. International movement of students has become one of the largest migration channels next to labour migration, family reunification and migration on humanitarian grounds. 20.6 per cent of all residence permits granted by EU Member States during 2010 were issued to students. Based on the information that student migration appears to be becoming more comprehensive and with the aim of collecting facts and statistics to help better understand and inform decision makers of this phenomenon, the European Migration Network (EMN) has decided to conduct a comparative study in 2012 on the topic of immigration of international students to the European Union.

This study is Sweden's contribution to this comparative project. The study describes the systems and procedures for admission and granting of residence permits for international students from outside the EU (third-country students) applied by Sweden. It also analyses statistics, such as on residents permits granted, the number of third-country students who 'change track' and stay in Sweden to work, and the number of students who come to Sweden as part of international exchange projects.

Mobility of students and academics has played an important role within the EU for many years. In 1987 the Erasmus exchange project was established. This has made it possible for more than two million young persons to study for one term or academic year in another European country. Erasmus has expanded to non-EU member countries such as Turkey and is also in certain cases open to third-country students registered at higher education institutions within one of the participating countries. Later the Erasmus Mundus programme was established, which is aimed at countries outside the EU, EFTA, EEA and EU candidate countries.

With regard to the legal grounds for admissions and residency of third-country students in Sweden and other EU Member States, the harmonization of national regulations and strategies is less pronounced than in other areas within the Common Immigration and Asylum Policy, such as short-term visas (Schengen) or asylum. In 2004 the Council of the European Union adopted a Directive on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service (2004/114/EC). The Directive includes an approximation of national legislation for the admission criteria and residence of third-country nationals wishing to come to the EU for the purpose of studies. Despite this common Directive large differences still exist between the national policies of Member States regarding foreign students. During 2011 the EU Commission evaluated the Directive's application in the Member States and identified a number of deficits and needs for further harmonization. A process to revise the Directive and consequently strengthen EU cooperation on the matter of incoming students began in 2012. One aim of this study is to contribute to this policy development by providing in-depth facts, statistics and analyses.

Changes to national acts and ordinances required in order to implement the Students Directive in Sweden were introduced on 1 February 2007. The Directive called for the requirement that incoming third-country students must have comprehensive health insurance and must not constitute a threat to public national health. In addition, a new regulation for the withdrawal of residence permits was introduced.

As this study on the situation in Sweden shows, the scale of migration of third-country students has changed significantly during the recent decade. Up until 2010, this form of migration had increased strongly, to later decline by half during 2011. In 2010, the Swedish Migration Board granted 14,118 first-

time residence permits for study purposes. The following year 6,836 residence permits were granted, showing a decline of almost 52 per cent. The declining trend continued into the first half of 2012.

In all likelihood, the decline during 2011 was caused by the introduction of tuition fees for third-country students that took effect in the autumn term 2011. The same year, Residence Permit Cards with biometric identifiers were introduced, which may also have contributed to the decline in the number of third-country students to some extent. These two measures are described in detail in this study. On the one hand, from a students' perspective, these two measures may have made studies in Sweden more expensive, and it may have become more difficult and complicated to fulfil the legal requirements to be able to travel to Sweden - in particular for potential students in countries or regions where there is no Swedish mission abroad available to record biometric data. On the other hand, efforts have also been made to simplify the processes applicable to international students, for example through the development of the possibility to apply for residence permits via the internet (online application), the introduction of new scholarship programmes and improved marketing and information measures; all of which undoubtedly have the potential to contribute to safeguarding Sweden's appeal to international students. Up until this point, however, these efforts have not been able to turn the downward trend that has been observed since 2011.

The Swedish Parliament and Government, who have the main responsibility for higher education and research as well as the control over international migration to Sweden, are very positive about the development of a globalized education sector, competition between successful Swedish and foreign universities and an increased international mobility of students, teachers and researchers. The political aim to increase recruitment of foreign students to Swedish universities and higher education institutions remains in spite of the above mentioned downward trend. As a consequence, issues pertaining to international students are likely to remain high on the agenda of Swedish policy-makers and practitioners and in the media. Potential measures to increase Sweden's attractiveness could include the further development and enlargement of scholarship and exchange programmes, changes to the current rules for residence permit cards and biometric data, which, however, would require changes to the existing legal framework, and efforts to make it easier for third-country students to "change track" and stay in Sweden to work after their studies. According to current law, international students have access to the labour market during their studies in Sweden and those in employment may receive a residence and work permit upon completion of their studies. There is no possibility, however, for international students to receive a residence permit to search for employment after their studies. Another measure to enhance Sweden's attractiveness could be to grant family members of international students access to the Swedish labour market.

1 Introduction, aims of the study and working methods

Today, moving to the EU for study purposes forms one of the most common migration channels alongside labour migration, family ties or migration on humanitarian grounds (asylum). In 2010, for example, EU Member States granted almost 2.5 million applications for residence permits. 32.5 per cent of these were granted to persons who wanted to work in the EU, 30.2 per cent for family ties, 20.6 per cent for studies or other education purposes and around 17.0 per cent based on humanitarian grounds and other purposes. In this context, student migration can be seen as the third largest migration channel to the EU. From a global perspective, migration of those studying has increased considerably during recent years. According to the OECD the amount of students registered at a university or higher education institution outside of their country of origin has increased from 0.8 million in 1975 to 3.7 million in 2009 (OECD 2011: 320). According to the OECD, of the five countries with the most foreign students (USA, UK, Australia, Germany and France) three are EU Member States (OECD 2011: 321). Thus, the EU is one of the main destinations for international students. In 2009, even Sweden, a relatively small country in comparison, received 1.1 per cent of all students who chose to study abroad (OECD 2011: 322). Amongst the countries that admitted the most international students in 2008, Sweden was in the 19th place (Macready/Tucker 2011: 86).

In many Member States, foreign students are viewed as an important asset. Their presence is seen as a positive symbol that the respective national higher education maintains a strong position within the global competition for high-standard education and research. Foreign students also contribute to international exchange of knowledge, language skills and cultural experience. Internationalization of the higher education sector is an important issue for many countries and a high number of international students registered at their universities and higher education institutions is viewed as an essential indicator for this desired development. Certain EU Member States, amongst those Sweden, also view foreign students as an important resource for the future need for highly qualified labour. At the same time, by means of returning or circular migration they are able to contribute to development in their home countries.

In recent times, the importance of international students in terms of their impact on the economy, labour market and education systems within the EU has often been emphasized by European institutions. In a report about the application of the EU student Directive,¹ the EU Commission writes that "the overall objective is to promote Europe as a world centre of excellence for studies". A "coordinated and transparent legislative framework" should make the EU a place where higher education is "more visible, accessible and attractive to third-country students". The Commission writes further: "Moreover, student mobility benefits global economic development by promoting the circulation of knowledge and ideas".

Student migration can thus be seen as an important subject, not just at an EU level but also in Sweden's national arena. The Swedish Government believes that higher education in Sweden should be characterized by high quality, with well-developed educational environments and accessibility to world-class research. Deepening the internationalization of higher education is a political priority. From this perspective, the Government aims to have a high number of foreign students studying at Swedish higher education institutions.²

Within the scope of its work programme 2012, the European Migration Network (EMN) has the task of conducting a comparative study between the EU Member States and Norway, regarding visiting students from third-countries. This study will be built upon national reports from all Member States, which are then

1 COM(2011) 587 final: Report from the Commission to the European Parliament and the Council on the application of Directive 2004/114/EC on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, Brussels, 28 September 2011.

2 Government Bill 2009/10:65, *Konkurrera med kvalitet – studieavgifter för utländska studenter*, Stockholm, 18 February 2010 pp. 6-7.

collated in a synthesis report. The study at hand is the Swedish contribution to this comparative project. The aim of the EMN study is to be able to compare EU Member States' (and Norway's) policies and regulations for the area. It is intended to constitute a significant step in the work to develop a factual basis for the planned revision of the EU Student Directive 2004/114/EC. The current version of the Directive was adopted by the Council in 2004.³

1.1 Methodology

The study has been created on the basis of common specifications decided upon by the EMN, in order to facilitate a comparison between EU Member States (and Norway). The specifications provide the questions that the study should answer, as well as an outline, common definitions and practical instructions for all participating EMN Contact Points.

The Swedish study's content is based upon recent legal and social science literature, research reports and publications from national ministries and authorities that are active within the field of international student migration. The author has also turned to the expert knowledge available within the Swedish Migration Board, which also serves as Sweden's National Contact Point (NCP) for EMN. Furthermore, discussions and expert interviews with representatives for other public authorities and ministries have been conducted.

On 18 April 2012, the Swedish EMN NCP conducted a national network conference on the subject of student migration. It was attended by representatives from e.g., various Ministries, the Swedish National Agency for Higher Education, the Swedish International Programme Office for Education and Training, the Swedish Institute, the Association of Swedish Higher Education, the Swedish National Union of Students and a large number of higher education institutions and researchers. Information, experiences and opinions gathered at the conference have contributed to the study's contents and conclusions.⁴

1.2 Definitions

In this study, terms and definitions are used as they are given in the EMN's glossary⁵. The central term 'international student' as defined in the context of EU migration policy is as follows:

a third-country national accepted by an establishment of higher education and admitted to the territory of a Member State to pursue as his/her main activity a full-time course of study leading to a higher education qualification recognized by the Member State, including diplomas, certificates or doctoral degrees in an establishment of higher education, which may cover a preparatory course prior to such education according to its national legislation.

In accordance with this definition, the aim of this study is to focus on incoming students from countries outside the EU. This group shall be known as "third-country students". Synonyms also used in this study include the terms "international students" or "visiting students". It should be emphasised, however, that we do not refer to third-country nationals who immigrate to the EU for other purposes such as work or family reunification and enrol for studies at a later point.

At the same time, in order to understand the Swedish contribution to the comparative EMN study, the following concepts and abbreviations should also be mentioned:

³ Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service.

⁴ More information about the national conference can be found on the Swedish EMN National Contact Point's website www.emnsweden.se under the heading 'nationellt nätverk'.

⁵ EMN Glossary, EMN:s website.

This EMN-study focuses on international students who study at universities or higher education institutions. Within the framework of International Standard Classification of Education (ISCED) this is classed as levels 5 and 6. ISCED classifies education so that similar levels of education can be compared between different countries. Level 5 represents first-cycle courses and programmes (Bachelor's and Master's level) and Level 6 represents third-cycle courses and programmes such as doctoral programmes. Level 5 is divided into 5A and 5B. Level 5A represents higher education programmes of three years or more that can form the basis for third-cycle courses and programmes, whereas 5B often represents first-cycle courses and programmes consisting of two to three years that have a more practical or vocational character. In Sweden, almost all first-cycle courses and programmes are placed in level 5A.

2 The national higher education system and international students

2.1 The structure of the national higher education system

In Sweden it is the Parliament and Government who have the overall responsibility for higher education and research. They decide which rules shall be applicable within the higher education sector and set concrete goals, guidelines and resource allocations for the sector. The Ministry of Education and Research is responsible for school matters, university and higher education institutions, research, adult education, popular education and student loans (Högskoleverket 2010: 7).

State universities and higher education institutions are authorities under governmental control.⁶ In 2011 there were 49 higher education institutions in Sweden, including large universities such as Stockholm University who in the Autumn Term of 2010 had 35,374 students or the University of Gothenburg with 32,600 students, and also smaller specialized higher education institutions such as the University College of Opera in Stockholm, with 44 registered students in the Autumn Term 2010 (Högskoleverket 2011a: 104-108).

The primary tasks for universities and higher education institutions are to conduct education and research based upon scientific or artistic grounds and reliable experience. They should also lead research and artistic development as well as other development work and cooperate with the surrounding community, for example by co-operating with companies and local authorities.

Fundamental and centralised regulations for universities and higher education institutions can be found in the Higher Education Act set by the Government. Further regulations can be found in the Higher Education Ordinance. Within this legal framework, higher education institutions have the freedom to decide themselves how to organize their activities, use their resources and organize their education (Högskoleverket 2010: 8).

Amongst Swedish universities and higher education institutions, 21 higher education institutions have the right to award first, second and third-cycle degrees. Of these, 18 are public-sector universities whilst three are independently run, meaning they are owned and run by a foundation or association. In addition, there are 28 higher education institutions with the right to award degrees only at first and second-cycle level. Of these, 18 are in the public sector and 10 are independently run. In addition to these universities and higher education institutions, there are a number of education providers with authority to award the Diploma in Psychotherapy (Högskoleverket 2011a: 4).

In principle, all Swedish higher education institutions and the courses they offer are open to incoming third-country students. The number of foreign students studying at each higher education institution varies, depending on the range of programmes and courses offered. Whilst the Royal Institute of Technology and the universities in Lund, Linköping, Uppsala, Stockholm and Gothenburg each had over 2,000 international students registered during the Autumn Term 2011, there were also smaller higher education institutions where less than ten international students were registered (Högskoleverket 2011a: 104-108). Currently there are three main types of academic degrees awarded in Sweden, (1) general degrees, (2) creative and artistic degrees and (3) vocational qualifications. Degrees awarded by public-sector universities and higher education institutions are regulated by the Higher Education Act. These degrees may, after authorization from the Government, also be awarded by private universities and higher education institutions.

⁶ Within the higher education and research sector there are also other authorities such as Skolverket (Swedish National Agency for Education, responsible for schools), Högskoleverket (Swedish National Agency for Higher Education, higher education) and Vetenskapsrådet (Swedish Research Council, responsible for research).

As a result of the Bologna process⁷ that aims to reduce the differences in degrees awarded in different European countries, the structure for Swedish higher education qualifications has recently changed. As part of the new system introduced in 2007, certain vocational degrees have been taken away and replaced with more general degrees. A new Master's examination and a main category with the title 'creative and artistic qualifications' have been introduced. Qualification certificates act as proof that the student has obtained the required number of credits.

General qualifications for ISCED level 5 are Higher Education Diplomas, Bachelor's degrees, Magister Exams and Master's degrees. Higher Education Diplomas can be awarded after first-cycle courses and programmes of 120 credits that correspond to 2 year's full-time study. Bachelor's degrees consist of three year's study (180 university credits). The Magister Exam is a Swedish academic exam at advanced level, achieved after previous Bachelor's or vocational degree consisting of 180 university credits, and followed by one year's full time study (60 university credits). The Magister Exam thus encompasses a total of four year's study (240 university credits). The orientation and study contents of Magister Programmes can be decided by each higher education institution. Finally, the Master's degree builds upon a Bachelor's qualification or another three year first-cycle qualification and consists of 120 credits. Thus, in total, 300 credits are required for the completion of a Master's Exam. The majority of third-country students studying in Sweden are registered on Magister or Master's programmes.

Education cycles that lead to specific vocations where there are different forms of professional status qualifications or qualification requirements, are completed with a vocational degree. There are a wide range of different vocational qualifications in Sweden. International students, however, seldom study within this educational area.

The ISCED level 6 exam at research level contains Doctoral degrees and Licentiates. The Licentiate is often a step within longer research programmes that eventually lead to Doctoral degrees.

2.2 National policy framework regarding international students

National Policy

Parliament and the Government, who have overall responsibility for higher education and research in Sweden and control of international migration, look positively on the development of a globalized education sector; competition between successful Swedish and foreign universities and increased international mobility of students, teachers and researchers. As stated above, in principle all higher education in Sweden is open to international students. This is applicable to both 'free-movers' and students who wish to study in Sweden within the framework for various exchange and scholarship programmes. The conditions for admission and residence for studies are regulated by the Aliens Act and Aliens Ordinance.

A third-country national accepted onto a higher education programme and who meets other demands required for a residence permit for studies - i.e. requirements for sufficient funding and health insurance in Sweden - shall be granted a temporary residence permit. If required, the residence permit may be extended. In this case, the international student must have obtained a minimum number of higher education credits during the previously granted period. During their stay in Sweden, third-country students have full access to the labour market.

In principle, a third-country national wishing to be granted a residence permit for guest studies must

⁷ Since the end of the 1990s, the Bologna process has been a motive for many European countries to revise their education systems so they become clearer and more comparable. 46 European Member States (including Sweden) are participating in this process. The aim is to create a European area for higher education, the European Higher Education Area (EHEA), the purpose of which is to strengthen Europe's competitiveness as an 'education continent' by facilitating movement between European education systems and labour markets. See: Högskoleverket 2000: 5.

have the intention to return home upon completion of study. It is, however, possible to 'change tracks' and be granted a residence permit for reasons other than study if, for example, the student has employment in Sweden. At present there is no special residence permit for third-country nationals who have completed their studies and wish to remain in Sweden to seek employment. More detailed information concerning these regulations can be found in chapter 3.

To be able to study in Sweden, third-country students must pay tuition fees and an application fee as of the Autumn Term 2011. The application fee is paid when applying for course(s). Tuition fees are paid to the relevant higher education institution after admission. Tuition fees are applicable to education at first and second-cycle levels, though not at research level. Students who are nationals of a Member State within the EEA or Switzerland do not pay a tuition fee for studies in Sweden. Tuition fee exemptions also apply to third-country nationals already living in Sweden or who have a permanent or temporary residence permit for purposes other than study. Exceptions also exist for students taking part in certain exchange programmes. It is also possible to bring family members to Sweden.

National strategies and aims

The development of a global education arena can, according to Parliament, strengthen the quality of Swedish universities and higher education institutions. Parliament also believes that knowledge and understanding of other countries and cultures grows through internationalization and international contacts can benefit the individual and society (Government Bill 2008/09:175, p. 15).

The Bill *Ny värld – ny högskola* [New World - New University] (Bill 2004/05:162) contained a national strategy for the internationalization of higher education. One of the many comprehensive aims established by the government is that Sweden should be an attractive destination for foreign students. To be able to achieve this goal, the Bill stipulates that universities and higher education institutions should offer high quality, internationally competitive education and recruitment of foreign students should be increased (Bill 2004/05:162, p. 59-60). No difference is made between third-country students, students from EU Countries and the Nordic Countries. The aim, described by the following, applies to both categories equally:

There are many reasons to increase recruiting of foreign students to Swedish universities and higher education institutions. They are a resource for the development and quality of teaching and research environments, as they can contribute with new perspectives. They can also contribute to strengthening the international environment and diversity, promoting understanding of other cultures and traditions, whilst proving invaluable for the development of the economy. At the same time they form a recruitment base for continued education, research and employment in Sweden. Students with experience of Swedish education, culture and society can also be good ambassadors for Sweden. They can form an important resource for the depth and breadth of cooperation between Sweden and other countries, not least within trade and industry. Amongst other things, it is important that foreign students are offered classes in Swedish. (Government Bill 2004/05:162, p. 60, own translation)

The political objectives surrounding the mobility of international students as defined in the Bill 'New World -New University' are even more applicable today. In the Bill *Competing on the basis of quality - tuition fees for foreign students* (Government Bill 2009/10:65) the Government once more emphasizes that there are a number of reasons to increase recruitment of foreign students to Swedish universities and higher education institutions. According to the Government, they are a means to develop and increase the quality of teaching and research environments. At the same time, the foreign students act as a recruitment base for continued education, research and employment in Sweden, not least within the technology sector (Bill 2009/10:65, p.9).

With the Bill 2009/10:65, tuition fees were introduced for incoming third-country students in Sweden. In conjunction with this reform, it was expected that the number of third-country students would decrease - which it did. The objective to increase recruitment of foreign students, however, remains. The intro-

duction of tuition fees was justified by the argument that there are not strong enough grounds to offer third-country students tax financed, free education; and Swedish universities should compete with foreign education institutions by offering high quality rather than free education. At the same time as tuition fees were introduced, a series of measures to promote recruitment of foreign students were proposed; such as improved cooperation between different authorities, new scholarship programmes as well as new information and marketing initiatives.

It is not a controversial issue for Swedish society that international students apply for education in Sweden. Higher education institutions share the positive attitude of Parliament and the Government and have intensified the internationalization of their courses, their marketing abroad and the recruitment of foreign students. The number of international students registered means also additional funding for the respective universities. Many higher education institutions were critical of the introduction of tuition fees in 2001 and expected a decrease in the number of international students coming to Sweden, which proved to be a realistic expectation (see statistics in section 3.1.3 for details).

On the basis of the Ministry of Education and Research's initiative, the Forum for internationalization was created at the end of 2008. The objective of the forum is to improve coordination between Swedish authorities and organizations dealing with the internationalization of higher education institutions. In the forum, participants can share experiences, identify possibilities and organize their work to clear away any impediments to internationalization.

It is not solely with reference to the internationalization of higher education in Sweden, teaching and research environments and the development of the economy, trade and labour markets that international students are seen as a vital resource, but also in the context of migration policy and global development issues (Macready/Tucker 2011: 87). In July 2009 the Government appointed a Parliamentary Committee with the task to identify factors that influence the possibility for migrants to move back and forth between Sweden and their country of origin. Part of the task included the mapping of international migration patterns and analysing how increased cross-border mobility can both contribute to development in the migrant's country of origin and have positive effects in Sweden. In March 2011, the Committee that had adopted the name 'Committee for Circular Migration and Development (CiMU)' presented its final report *Circular migration and development - proposals and future perspectives* (SOU 2011:28). In the final report, international students are seen as a "key group within circular migration and development". The Committee went on to write:

The group is young and mobile; moving between countries is in many instances part of the nature of exchange studies. International students are a very important group for many developing countries, as they function as a highly qualified resource that along with international experience can contribute to development of their countries of origin. (SOU 2011:28, p. 78)

The Committee proposed, among other things, a number of measures that would benefit international students. The Committee suggested that a student whose studies consisted of a minimum two terms should have the possibility to be granted a residence permit for a period of six months after completion of studies, so that the student is able to seek employment in Sweden. There were additional proposals for an increase in scholarship activities, increased cooperation between Swedish and foreign universities and an improved reception of incoming students, as well as ensuring that they are better looked after once they have arrived in Sweden (SOU 2011:28, pp. 144-158).

Debates

As incoming students only represent a comparatively small proportion of all migration to Sweden (see chapter 5), and as student migration normally is a temporary form of migration which does not create huge costs, international students have not been the focus of general societal debates regarding immigration matters. It can be ascertained that other categories of migrants, most of all asylum seekers, receive far more attention in mass media.

Certain attention has however been focused on student migration; the introduction of tuition fees has been a controversial topic in Sweden and their consequences continue to be frequently discussed. During 2011 and 2012 the mass media have repeatedly drawn attention to the fact that the number of third-country students has declined dramatically. In local and regional newspapers, many examples from individual higher education institutions and universities were mentioned.⁸ At the end of 2011, the Swedish National Agency for Higher Education published the report *Avgiftsreformen – lärosätenas första erfarenheter* [Tuition fee reform - first experiences of higher education institutions]. The report highlights that the tuition fees have not only contributed to a strong decline in third-country students at Swedish universities and higher education institutions but have also entailed an extensive workload for higher education institutions (Högskoleverket 2011b). According to official statistics from the Swedish Migration Board, 14,188 first-time applicants were issued residence permits for studies in 2010. The following year, 2011, only 6,836 student residence permits were granted, displaying a decrease of 51.8 per cent.⁹ To a large extent, this decrease is assumed to be as a result of tuition fee introduction.

A certain degree of media attention has also been drawn to difficulties experienced by third-country students when trying to visit a Swedish mission abroad to provide biometric data. A personal visit to a Swedish mission abroad is required due to the biometric data requirement that has been laid down in Swedish law that was adopted to implement Council Regulation (EC) No 380/2008 of 18 April 2008.¹⁰ Implementing this regulation, Sweden introduced so-called Residence Permit Cards on 20 May 2011. These cards replace the residence permit stickers previously affixed into passports. On 1 July 2011, national legislation was introduced that stated that residence permit cards must contain biometric data (fingerprints and photograph) that must be collected by a Swedish authority. The Swedish legislation also implies that residence permit cards must be obtained before entering Sweden. For international students, this means that they must visit a Swedish embassy or consulate even if they have made an electronic application for a residence permit.

These policy changes are widely seen as difficulties for third country nationals that wish to study in Sweden.¹¹ In some cases, the new procedure concerning residence permit cards can require long and expensive journeys to the nearest Swedish mission abroad, which can be in a different country than the prospective student's country of origin. Against this background, some alleviation was introduced on 19 July 2012. Applicants that do not need Schengen visa in order to be able to travel can now, as soon as a residence permit has been granted, enter Sweden and render their biometric identifiers after arrival. In exceptional circumstances, national D-visas, to which no biometric requirements apply, can be granted (see section 3.1 for details).

Both the consequences of the introduction of tuition fees for third-country students and the fact that students must travel to a Swedish mission abroad to submit biometric data were also discussed by different speakers at the network conference *Entry and stay of international students* organized by Sweden's National EMN Contact Point on 18 April 2012 in Stockholm.¹²

8 For example, Börje Ekholm/Carl Bennet: "Sverige har förlorat nio av tio utomeuropeiska studenter" ["Sweden has lost nine out of ten non-European students"], *Dagens Nyheter*, 29 November 2011; Jan Eliasson: "Tusentals ungdomar stängs ute från studier i Sverige" ["Thousands of young people are excluded from studying in Sweden"], *Dagens Nyheter*, 2 January 2011; "Högskolan behöver utländska studenter för kvalitetens skull" ["Higher education institutions need foreign students for the sake of quality"], *helagotland.se*, 6 December 2011.

9 These figures include residence permits for studies at higher education institutions and universities (2011: 73 per cent), other studies (7 per cent) and students' family members (20 per cent), see section 3.1.

10 Council Regulation (EC) No 380/2008 of 18 April 2008 amending Regulation (EC) No 1030/2002 laying down a uniform format for residence permits for third-country nationals.

11 See t.ex. KTH 2012: 32; Ingrid Elam: "Sveriges nya nålsöga" ["Sweden's new chokepoint"], *Dagens Nyheter*, 21 June 2011; "Krav på fingeravtryck slår hårt" ["Fingerprint requirement hits hard"], *ERGO*, 29 August 2011.

12 Presentations from the majority of speakers and a conference extract is available on the EMN National Contact Point's website, www.emnsweden.se under the heading "Nationellt nätverk".

3 Legal and practical conditions that apply to international students

The objective of this chapter is to describe the conditions for arrival and residency of third-country students in Sweden, including measures to simplify the process for international students to choose Sweden as a study destination. The chapter is divided into sections about their admittance to studies and arrival in Sweden, residency in Sweden and the situation for third-country nationals after completion of their studies. The fourth section deals with improper use of student residence permits for other purposes.

General legal conditions

The conditions for third-country students' arrival and residency are regulated by the Aliens Act (utlänningslagen, UtL) and the Aliens Ordinance (utlänningsförordningen, UtIF). The Aliens Act states in Chapter 5, Section 10 that a temporary residence permit may be granted to an Alien who wishes to stay in Sweden for work, studies, a visit or to conduct business activities. Third-country nationals who come to Sweden can therefore not be granted a permanent residence permit, instead a temporary permit is issued with the possibility for extension. As stated in Chapter 5, Section 23, first paragraph of the Aliens Act, the Government may issue regulations on residence permits for studies or visits. The Government has issued regulations pertaining to residence permits for university studies in Chapter 4, Section 5 of the Aliens Ordinance. These regulations are based upon those stated in the obligatory regulations in the Council Directive for conditions of arrival and residency of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service (2004/114/EC). The Directive was introduced into Swedish legislation in the Government Bill 2005/06:129. Changes to the relevant Swedish acts and ordinances were introduced on 1 February 2007.

Amendments to Swedish legislation that the Directive required were mainly made through smaller changes to Chapter 4, Section 5 of the Aliens Ordinance, regarding factors such as the requirement for health insurance and that the Alien must not constitute a threat to national health. In addition, a new specific regulation was introduced for the withdrawal of a residence permit for studies in Chapter 7, Section 7a of the Aliens Act (Migrationsverket 2012a).

Chapter 4, Section 5 of the Aliens Ordinance states the following about residence permits for studies: An Alien who intends to study in Sweden and has been admitted to a higher education course here shall be granted a residence permit for the period of study if he or she:

1. has personal means, a scholarship or other similar resources that are sufficient for his or her maintenance during the period of study and for the return journey,
2. has comprehensive health insurance that is valid in Sweden, and
3. does not constitute a threat to public policy, public security or public health.

Since tuition fees were introduced, payment of a portion of the fee is a requirement before admittance to a Swedish university programme can be considered final. Prior to this, admission is only conditional and it is not sufficient that only the entry requirements are fulfilled (Bill 2009/10:65, p. 24). Apart from this connection between admittance to a study course and the granting of a residence permit, the related procedures are completely separate administrative operations.

In addition to these legal requirements, it is established in practice that international students should carry out their studies in Sweden on a full time basis. A further requirement is that the study course necessitates the students' presence in the country (no distance learning). The main rule in Chapter 5, Section 18, first paragraph of the Aliens Act, which states that an Alien who wants to obtain a residence permit in Sweden must have applied for and been granted such a permit before arrival, is also applicable to those wishing to study. Similarly, as stated in Chapter 2 Section 1 of the same law, an Alien entering or staying in Sweden must be in possession of a passport.

The Swedish Migration Board states that the requirements for secured personal means whilst studying

in Sweden are considered met when the visiting student's means of support are secured. The minimum amount required is SEK 7,300 per month, for at least ten months per year (regulations set by the Swedish Migration Board for non-Nordic/EEA students, see MIGRFS 04/2006).

Chapter 5, Sections 2 and 6 of the Aliens Ordinance state that persons granted a residence permit under the conditions of Chapter 4, Section 5 of the Ordinance are exempt from the obligation to have a work permit. This means that the student has a right to work during their study period without any quantitative or qualitative restrictions such as a maximum number of working hours or limitations to specific professions or employers.

The EU students Directive 2004/114/EG has not been implemented to the sections that affect categories other than students as defined in the Directive.

Third-country nationals who wish to undergo studies outside of the university and higher education framework can be granted residence permits under the general conditions of Chapter 5, Section 10 of the Aliens Act. This can for example be applicable to studies at adult education centres, upper-secondary schools, as well as to unremunerated training and studies with religious specialization. The conditions applying to the granting of residence permits for such studies, known as 'other studies' are not regulated by law. Applications are therefore processed on the basis of a long-established administrative practice in this area. Third country nationals that are granted a residence permit for 'other studies' do not, however, have automatic access to the Swedish labour market.

3.1 Admission

3.1.1 Measures to encourage third-country students to study in Sweden

There are in essence four different categories of measures aimed at encouraging third-country students to apply to study in Sweden: marketing, information and recruitment measures, fast and simple processes to assess eligibility for studies at Swedish higher education institutions, scholarship programmes and exchange projects, and fast processing of applications for residence permits.

Marketing, information and recruitment

When marketing Sweden as a study destination, various actors are involved, amongst which are higher education institutions, Swedish Embassies and Consulates and the Swedish Institute. Marketing is carried out via events such as education fairs abroad, web based information about Sweden as a study destination and promotional activities by Swedish missions abroad. The internet portal studyinsweden.se forms a vital function as a portal and navigation site for all information a third-country national needs if they are interested in studying in Sweden. Certain higher education institutions have representatives in various countries abroad tasked with recruiting international students. In conjunction with the introduction of tuition fees in 2011, many institutions intensified their information, marketing and recruitment processes to combat the decline in third-country students.¹³

Assessment and validation of eligibility

Swedish students' merits are accessible in national databases. By way of contrast, visiting students from third-countries must submit proof of merits when applying for courses at a Swedish higher education institution.

General eligibility requirements are centrally decided by the higher education institutions' 'Virtual Or-

¹³ See i.a. the different university and higher education institutions' annual reports and Svenska Institutet 2012 for details and examples.

ganization' (VO and AkVO) which has existed since 2007.¹⁴ The virtual organization is comprised of case officers from higher education institutions who work together when assessing applicants from a certain geographical area. The group assesses upper-secondary school merits, language certificates and, for advanced levels, foreign higher education institution awards and merits. Furthermore, the case officers assess whether proofs and certificates are genuine and whether the merits correspond to those in Swedish education. The Swedish Agency for Higher Education Services (Verket för Högskoleservice, VHS) and the Swedish National Agency for Higher Education (Högskoleverket, HSV) assist the case officers with details of merit values for foreign upper-secondary school and higher education grades.¹⁵

Specific requirements needed for admission to certain courses are not assessed by the Virtual Organization. They are controlled locally by the respective higher education institution.

Scholarships

Several organizations offer scholarships for incoming students from third-countries, and the Swedish higher education institutions are allocated funds by the government to help support recruitment. The scholarships are used to fund tuition fees. Certain higher education institutions can also award private scholarships. During Autumn Term 2011, 1,348 students that were liable for tuition fees were registered at Swedish universities, 569 of whom had some form of Swedish scholarship - approximately 40 per cent (Högskoleverket 2011b: 5).

In addition to the individual higher education institutions, the Swedish Institute offers various scholarship schemes for foreign students. In conjunction with the tuition fees reform, a new scholarship programme was introduced, targeting students with specific qualifications from the 12 countries with whom Sweden has long-term development cooperation,¹⁶ who wish to study in a third-cycle course (see section 4.1). Amongst the pre-existing scholarship schemes there is a Guest Scholarship Program for PhD and post-doctoral studies, the Visby Program (Swedish Institute's Baltic Sea Region Exchange Program), a Swedish-Turkish scholarship programme, Scholarships for East Europe for master's level studies in Sweden, amongst others.¹⁷

Application for a residence permit

The Migration Board handles and issues decisions on applications for residence permits for third-country students. The Government has in its annual letter of appropriation to the Migration Board stated that the following aims apply to cases concerning students: "In cases concerning students, the time period from application until decision should be made as short as possible, in consideration of the applicant's needs. The decision should therefore have been made within three months."¹⁸ To simplify this process for incoming students, measures have been made to speed up processing, by making information easily accessible and facilitating application via the internet. Another prioritized area is to intensify cooperation between the higher education institutions and the Swedish Agency for Higher Education Services (VHS). The establishment of the Forum for internationalization (see section 2.2) has contributed to a useful contact network.

14 VO is responsible for first and second-cycle education and AkVO for third-cycle education.

15 From 1 January 2013, the authority structure within the higher education sector will change. The Swedish National Agency for Higher Education will cease to exist as an authority with large parts of its current activities being transferred to a new agency called Universitetskanslersämbetet (UKÄ). The activities to be transferred to Universitets- och högskolerådet (UHR) are primarily the assessment of foreign grades, information on studies, questions regarding admissions and högskoleprovet [university admissions exam] UHR will take over VHS' tasks and those of the International Programme Office for Education and Training (IPK), which is also to cease operations as an authority.

16 Bangladesh, Bolivia, Burkina Faso, Cambodia, Ethiopia, Kenya, Mali, Mozambique, Rwanda, Tanzania, Uganda and Zambia.

17 See <http://www.studyinsweden.se/Scholarships/>

18 Regeringen/Justitiedepartementet: Regleringsbrev för budgetåret 2012 avseende Migrationsverket, 22 december 2012. p. 4 (own translation).

The process for assessment of applications for a residence permit is the same for all applicants; whether or not the student has been awarded a scholarship or participates in a student exchange scheme has no influence on the processing at the Migration Board. However, the process can be faster for students who are part of an exchange programme or who have been awarded a scholarship as it is easier for these students to show that they have secured sufficient means of support. The Migration Board's ambition is to process each case as quickly as possible. Information for applicants regarding regulations and procedures to be granted a residence permit can be found at the Study in Sweden (<http://www.studyinsweden.se/>) portal, as well as on the Migration Board's website http://www.migrationsverket.se/info/studera_en.html.

3.1.2 Information about courses in Sweden

There are a number of websites on which third-country citizens interested in studying in Sweden can find information. The Study in Sweden portal (<http://www.studyinsweden.se/>) plays a valuable role and contains, for example:

- a database with all study programmes available in English that Swedish universities and higher education institutions offer,
- a description summary of how applications are made and of the admissions process,
- a map and catalogue of universities and higher education institutes in Sweden,
- information about the Swedish way of life and general organization, plus opportunities for residents
- and a list and descriptions of all available scholarships.

The portal also contains information for assessment and eligibility for education courses in Sweden and recognition of qualifications obtained abroad. There is no separate procedure for the recognition of foreign qualification certificates and assessment of eligibility does not exist - the applicant sends their application directly to the university/higher education institution where he/she intends to study. All decisions regarding admissions and recognition of previous education abroad is decided by the universities and higher education institutions themselves, sometimes with the help of the above-mentioned higher education institutions' 'Virtual Organization' (VO and AkVO). This is applicable both for completed and uncompleted courses.

In the case of assessing foreign education or examinations, for example, to simplify job applications in Sweden, the applicant can refer to the Swedish National Agency for Higher Education (Högskoleverket). This agency is a centre for information within the European Network ENIC-NARIC.¹⁹ The authority assesses the majority of foreign higher education degrees, with the exception of foreign degrees that lead to a regulated profession in Sweden, such as a medical doctor, veterinarian or lawyer. These are assessed by the respective authority responsible for the profession in Sweden. On the Swedish National Agency for Higher Education's website, there is a list of regulated professions and contact details for the responsible authorities.²⁰

3.1.3 Visa and residence permits

Visa, residence permits and Residence Permit Cards

National regulations pertaining to the entry and stay of third-country nationals who wish to study as well as the question whether a visa and/or a residence permit are required for entry vary between the EU Member States. The main rule in Sweden is that Schengen visas (C-visas) and the less common National Visas (D-visas) are issued for visiting purposes, whereas residence and work permits are issued for legal immigration.

¹⁹ ENIC: European Network of Information Centres, NARIC: National Academic Recognition Information Centres.

²⁰ <http://www.hsv.se/utlandskutbildning/arbetsverige/regleradeyrkennisverige.html>

As a consequence, for third-country nationals who wish to reside in Sweden for more than three months in order to study, their residence is considered a form of legal immigration, even if it is supposed to be only temporary. As a person residing in Sweden longer than three months requires a residence permit, Sweden does not usually issue visas for students whose studies have a duration of more than three months.

The residence permit should be applied for in the third country national's country of origin or the country where they are currently resident. Thus, applications are normally not possible from within Sweden. The application can either be made electronically or via the applicant submitting his or her application to a Swedish mission abroad. The Swedish mission abroad performs the necessary investigations before the applicant is given an appointment to submit biometric identifiers.

The Aliens Act requires that the residence permit be complete before arrival in Sweden which also means that an applicant who holds the citizenship of a country that is subject to visa requirements must have received a residence permit card before entry. This requires that the applicant present themselves at a Swedish mission abroad to submit their biometric details, regardless of the format of their application (electronic or paper). Applicants that do not need a visa in order to travel to Europe may, by way of contrast, enter Sweden and submit their biometric details after entry as soon as a positive decision on the residence permit application has been taken.²¹ As mentioned above, usually, a residence permit cannot be issued if the person is already in Sweden; there are, however, exceptions to this rule, for example for students who "change tracks" and apply for a residence permit for work or other reasons, see section 3.2.1 about change of status.

Short stay visas (C-visas) are only relevant for people who wish to visit Sweden for a shorter period of study, a course or for the continuation of professional development, or for a research student who wishes to conduct a shorter part of their research in Sweden or take part in a conference, for a period of less than three months.²² National long stay visas (D-visas) for studies in Sweden are only granted in exceptional cases, for example when a visiting student does not have the possibility to submit fingerprints and photograph to a Swedish mission abroad, or for a student who wishes to visit Sweden regularly during one year for stays of only a few months. There are further exceptions for different kinds of urgent cases. As no consular cooperation exists between EU and Schengen countries regarding long-term stays or residence permits and due to biometric data collection requirements, applications for residence permits for Sweden cannot be made at another EU Member State's consulate. On the other hand, C or D visas issued by another Schengen country can be used for short-term visits to Sweden and vice-versa.²³ This can be of relevance to research students wishing to conduct part of their research in two or more Schengen countries.

Processing times for residence permits

When dealing with student cases, the Swedish Migration Board's aim is to make the time from application to decision as short as possible, taking the applicant's needs into consideration. In 2011, the Migration Board dealt with over 26,000 applications for student residence permits (first-time applications that are sent directly to the Migration Board or via a Swedish mission abroad and applications for extensions that are usually addressed directly to the Migration Board). Of these applications, 71 per cent were processed within three months. The total average processing time was 72 days (2.4 months). Approximately 85 per cent of first time applications were completed within three months and the total average processing time

²¹ The possibility for visa-free applicants to submit their biometric details after entry was introduced on 19 July 2012.

²² In 2011, Sweden granted 2,842 visas where the application purpose was 'study'.

²³ There are also other visas with restricted validity for certain territories, i.e. visas that are solely valid for one or more, but not all Member States within the territory. These restricted visas are used in exceptional cases, such as when a Member State finds it necessary to issue a visa despite the fact that provisions of the Visa Code do not allow this. See article 25 in regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code).

for these cases was 53 days (1.7 months). The Migration Board's processing accounted for 34 of these days, and the Swedish mission abroad's processing, including post, for 19 days.

Most of the incoming applications for residence permits must be processed during the summer months in the period between the decision of admittance is made (by universities) and the start of autumn term. Approximately 50 per cent of first-time applications are received during the period May - July. Occasionally the Migration Board must prioritize first-time applications over applications for extensions due to the heavy workload. This prioritization is based on the requirement for first-time student applicants to be in possession of their residence permit in order to be able to enter Sweden and commence their studies. Those applying for extensions may stay in Sweden and study during the time taken to process their application. Otherwise there are no prioritizations or fast-tracking procedures; the fastest way to obtain a residence permit or for an extension to be granted is to hand in an application that is complete. For students taking part in international exchange projects such as Erasmus Mundus the same rules are applicable as those for free-movers.

Tuition fees

As of the Autumn Term 2011, third-country students must pay tuition fees and an application fee to be able to study in Sweden, see also section 2.2 for details. A residence permit for study reasons can only be granted when the fee has been paid and when the payment has been registered. The registration fee is paid upon application for courses whereas tuition fees are paid to the respective higher education institution after admittance. A residence permit can only be granted after payment of both the registration and the tuition fee has been received.²⁴ The respective universities and higher education authorities decide the cost of tuition fees themselves. The cost must however be calculated so that full cost coverage is achieved, i.e. the amount must be equal to the cost for the respective education (Högskoleverket 2011b: 28).

The fees vary between higher education institutions and are dependent on the type of education. Social science courses cost less than science courses or studies within medicine, art or architecture. Annual tuition fees vary from between SEK 80,000 and SEK 180,000 per year, though they may be even higher in isolated cases.²⁵ The application fee is SEK 900. The introduction of tuition fees is deemed the main reason for the strong decline in 2011 for first-time residence permit applications compared to the preceding year, see statistics below.

Statistics

Table 1 shows that the number of residence permits granted increased strongly in the years between 2006 and 2010. Thereafter in 2011 the trend was broken and the total amount of permits granted dropped significantly, very likely as a direct result of the introduction of tuition fees (see section 2.2). The amount of granted permits (6,836) was less than half the size (-52 per cent) than in the previous year (14,188). This decrease affected nearly all nationalities, to varying degrees. The number of Chinese nationals granted student residence permits dropped from 2,602 in 2010 to 1,481 in 2011 (-43 per cent). The greatest decreases were noted for the following countries of origin: India (-71 per cent), Ethiopia (-81 per cent) and Bangladesh (-90 per cent). By comparison, the decreases in US nationals (-19 per cent), Canada (-21 per cent) and Turkey (-24 per cent) were not as overwhelming.

A change in trend also occurred in the division of gender. Between 2006 and 2010, more than 60 per cent

²⁴ Initial (partial) payment can be sufficient for the residence permit to be granted.

²⁵ At Stockholm University the annual tuition fees are SEK 90,000 for students within the humanities, social sciences and law and SEK 140,000 for studies within the sciences. To provide another example, at Uppsala University studies within medicine, pharmacology, the sciences and technologies range between SEK 120,000 and SEK 180,000 and studies within the social sciences and humanities range between 80,000 and 110,000 At the Royal Institute of Technology (KTH) in Stockholm, the tuition fees for most of KTH's programmes and courses cost SEK 145,000 annually. For programmes and courses within the School of Architecture and Built Environment tuition fees are SEK 245,000.

of all applicants granted residence permits for studies were men. By 2011 this total had decreased to 51 per cent.

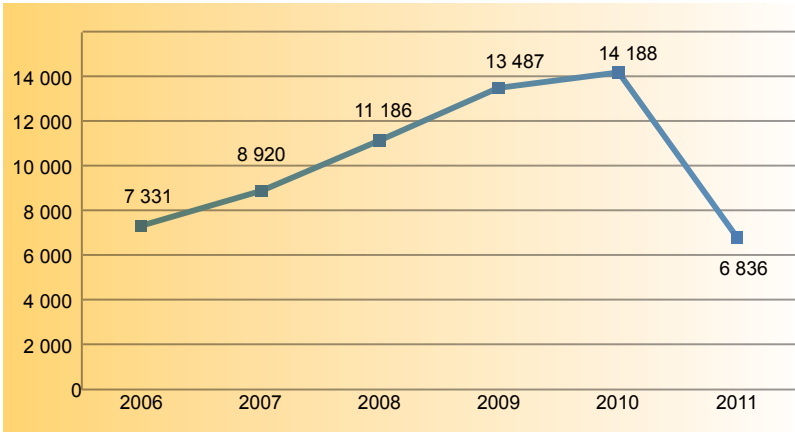
These figures relate to first-time permits, i.e. not extensions. The statistics include residence permits granted by the Swedish Migration Board as well as by Swedish missions abroad and by courts. It should also be noted that they do not only include residence permits for studies at higher education institutions or universities, but also 'other studies' such as upper-secondary school or religious educations, and the visiting student's dependants. Residence permits for studies at higher education institutions and universities, however, form the majority of all first-time applications received by the Migration Board and Swedish missions abroad. In 2011, around 73 per cent of all completed and consented cases regarding visiting students fell into this category (4,472 persons), whereas 7 per cent (412 persons) of all residence permits for study reasons were granted for 'other studies' and 20 per cent to international students' dependants (1,209 persons). Figure 1 shows the number of granted residence permits for visiting students between 2006 and 2011.

Table 1: Total first-time residence permits granted for studies, 2006-2011

	2006	2007	2008	2009	2010	2011
Total first-time residence permits granted for studies	7 331	8 920	11 186	13 487	14 188	6 836
Of whom female	2 686	3 292	4 280	4 953	5 572	3 333
%	37 %	37 %	38 %	37 %	39 %	49 %
Of whom male	4 645	5 628	6 906	8 534	8 616	3 503
%	63 %	63 %	62 %	63 %	61 %	51 %

Source: Swedish Migration Board

Figure 1: Total first-time residence permits granted for studies, 2006-2011



Source: Swedish Migration Board

Table 2 displays numbers for the main countries of origin of third-country students granted residence permits. The single most important country of origin during the entire period 2006 - 2011 was China. 1,481 Chinese nationals were granted residence permits for study in 2011. During the period between 2006 and 2009, Pakistan was the second largest country of origin. In 2010 it was Iran and in 2011 Turkey. Figure 2 shows the spread of nationalities in 2011.

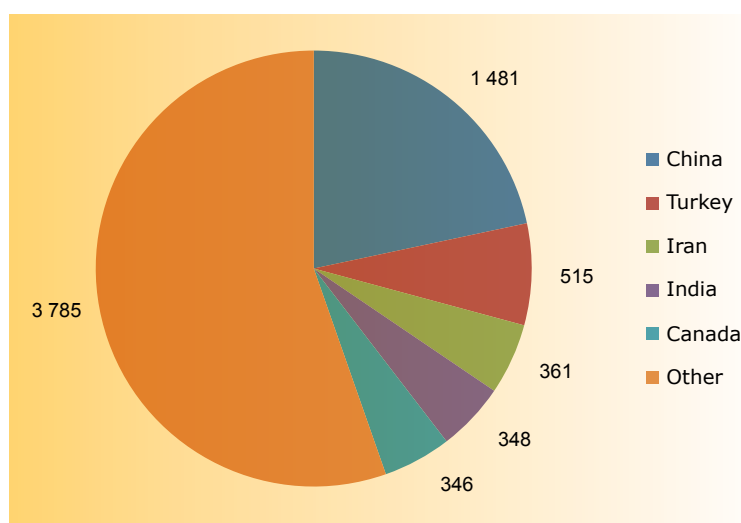
Table 2: First-time residence permits, 10 largest nationality groups, 2006-2011

2006		2007		2008	
China	1 378	China	1 824	China	2 174
Pakistan	907	Pakistan	1 367	Pakistan	1 725
India	482	Iran	595	Iran	941
Iran	349	India	508	Turkey	523
Canada	312	Cameroon	375	India	462
Australia	307	Canada	349	Bangladesh	443
Nigeria	297	Turkey	340	Canada	358
Bangladesh	259	Bangladesh	267	USA	356
Turkey	237	Australia	276	Australia	288
USA	219	Mexico	206	Mexico	261

2009		2010		2011	
China	2 556	China	2 602	China	1 481
Pakistan	1 839	Iran	1 446	Turkey	515
India	1 300	Pakistan	1 427	Iran	361
Iran	1 164	India	1 220	India	348
Bangladesh	750	Bangladesh	935	Canada	346
Turkey	701	Turkey	682	USA	302
Canada	388	Ethiopia	464	Australia	292
USA	332	Canada	436	Singapore	291
Russia	297	Russia	398	South Korea	270
Australia	292	USA	375	Russia	223

Source: Swedish Migration Board

Figure 2: First-time residence permits granted for studies, top 10 nationalities, 2011



Source: Swedish Migration Board

Completed cases, approvals, refusals

When the processing of incoming cases by the Swedish Migration Board is assessed instead of the number of all residence permits that were granted through decisions by the Migrations Board, Swedish missions abroad and migration courts for studies, which is a different data set, the available statistics show that 7,787 first-time applications were processed by the Migration Board in 2011. 6,098 of these were approved whereas 1,488 were rejected. The rate of approval was 78 per cent. During the preceding year, 2010, 14,633 cases were processed; 10,916 were approved and 3,573 were refused. Then, the rate of approvals was 75 per cent.

The number of approvals and refusals varied respectively for different nationality groups. For Chinese applicants, the rate of approval was 70 per cent in 2011. Applications from Pakistani nationals were approved in only 43 per cent of cases. By contrast, the rate of approval for students from Iran was 90 per cent, Russia 92 per cent and Turkey 97 per cent.²⁶

The Migration Board does not have statistics on the reasons for refusals. Therefore it is not possible to quantify the various reasons behind why an application is refused. According to expert opinion, the most common reason is that the means of support requirements have not been met i.e. the student cannot show that he or she has enough funds to finance their stay in Sweden and return to their country of origin.

Appeals

Third-country nationals who apply for residence permits for studies and are refused may appeal the decision within three weeks. Applications for appeal are sent to the Swedish Migration Board. If upon reassessment the Migration Board does not change their decision, the appeal is then referred to the Migration Courts at one of the Administrative Courts in Stockholm, Gothenburg or Malmö.

In 2011, the Migration Board processed 464 appeals concerning decisions on student residence permits. Of these cases, 48 were reconsidered and 409 were transferred to the Migration Courts; the frequency of decisions that were changed upon appeal was thus 10.3 per cent. In the preceding year, 2010, 1,072

²⁶ An approval rate of, for example, 43 per cent does not necessarily indicate that the remainder of applications were refused. Certain cases are noted where an applicant withdraws their application for a residence permit or reasons for the application are no longer relevant.

appeals concerning student residence permit applications were processed. 267 led to re-examinations and 797 were transferred to the Courts. The frequency of reconsideration (changed decisions) was 24.9 per cent.

The Migration Courts processed 425 appeals regarding students during 2011, of which 27 were approved and 342 refused.²⁷ This means that around 6 per cent of cases processed by the Migration Courts resulted in the appeal being granted. In the preceding year, 2010, the Courts processed 783 cases regarding students, of which 106 were granted and 586 refused.

The reason behind the decrease in appeal cases between 2011 and 2010 is likely a result of the same factors that led to the decrease in first-time applications i.e. the introduction of tuition fees and difficulties surrounding residence permit cards card and the relevant biometric data requirements.

Stock data and residence permits' period of validity

If attention is now turned to the number of people with a residence permit for studies (stock data), rather than the number of residence permits granted during the period 2006 - 2011, a decrease can also be seen when comparing the statistics for 2011 and 2010. 2011 saw 19,747 third-country nationals in possession of a residence permit for studies in Sweden, see Table 3. In the preceding year the total was 26,547 persons. This corresponds to a decline of approximately 27 per cent. If the number of valid permits is considered based on the residence permit's validity period, it shows that the number of short-term permits (3 to 5 months) has increased by approx. 14 per cent in 2011 since the preceding year. Even the number of permits with medium-term validity (6 to 11 months) increased somewhat (approx. 2 per cent). Thus the clear decline in the total number of valid permits depends upon a large decrease (approximately 43 per cent) of the amount of valid long-term permits (more than one year).

Table 3: All valid residence permits and permits' validity 2008-2011

	2008	2009	2010	2011
3 to 5 months	1 214	2 335	2 236	2 540
6 to 11 months	4 604	6 020	6 913	7 067
12 months or longer	13 452	16 855	17 398	9 867
Total	19 270	25 210	26 547	19 474

Source: Swedish Migration Board

Table 4 and Figure 3 show the five largest nationality groups of persons holding a valid permit for study reasons, regardless of the permit's validity period. All five large nationality groups amongst the third-country students in Sweden declined in number in 2011, in comparison with 2010; however the decline was more significant amongst students from Bangladesh (-45 per cent) and Pakistan (-44 per cent) in comparison with students from Iran (-27 per cent), India (-24 per cent) and China (-18 per cent).

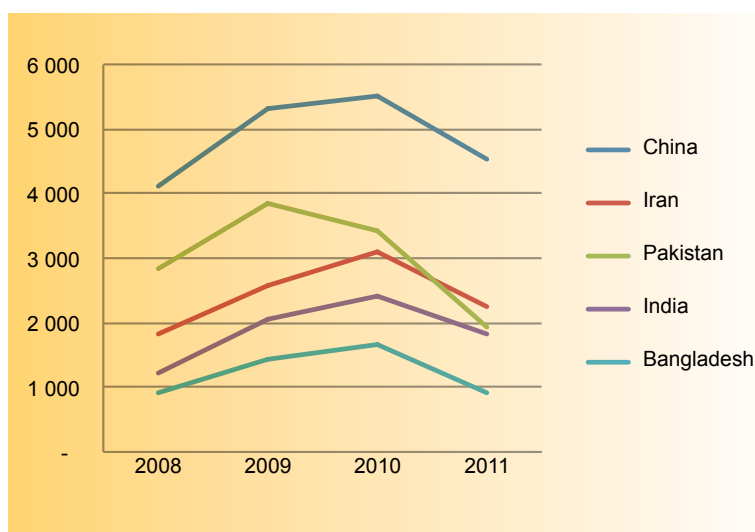
²⁷ The figures apply to both first-time and extension applications for residence permits for studies at a higher education institution/university/other studies and applications of the students' dependants.

Table 4: Valid residence permits, top 5 nationalities 2008-2011

	2008	2009	2010	2011
China	4 115	5 305	5 500	4 527
Iran	1 823	2 583	3 108	2 254
Pakistan	2 835	3 837	3 435	1 934
India	1 222	2 047	2 415	1 824
Bangladesh	919	1 437	1 653	916

Source: Swedish Migration Board

Figure 3: Valid residence permits, top 5 nationalities, 2008-2011



Source: Swedish Migration Board

Preparatory studies

Preparatory studies do not normally fall under higher education, i.e. the scope of Chapter 4, Section 5 of the Aliens Ordinance. They are treated as "other studies" and applications are examined according to the general regulations stipulated in Chapter 5, Section 10 of the Aliens Act concerning residence permits for students. In practice, due to the absence of legal regulations within this area, residence permits are not granted for preparatory studies when the purpose of these is only to provide eligibility for continued studies at a higher level, subject eligibility or for other activities in Sweden, such as employment.

Swedish language courses are an exception to this rule. When Swedish language teaching is included as part of the higher education studies to which the student has been accepted, language courses are considered to be included in the study programme and are therefore not classed as "other studies". Usually, a one year residence permit is granted for studies in the Swedish language that are part of further academic studies. This time may be extended by one term if there are reasonable grounds to do so and if the education institution supports the application for an extended residence permit. Residence permits may also be granted for preparatory language studies not included in the subject course, provided the applicant can confirm their eligibility for the proposed courses.

Other studies

In the framework of residence permits for education purposes, the category “other studies” usually refers to:

- Exchange students (at schools),
- upper-secondary school studies,
- studies at boarding schools,
- other types of studies.

Residence permits are not granted for studies at primary and lower-secondary level, with the exception of lower-secondary education at boarding schools.

Young foreign nationals who take part in exchange programmes provided by particular organisations are granted a residence permit for a maximum of one year. Before the permit can be granted, a letter from the relative organisation is required, alongside confirmation of admission and information on the organisation’s contact person in Sweden. Preliminary investigations or evidence of means of support are not required. There are many organisations that carry out international pupil exchanges.²⁸ The primary rule is as for visiting students; residence permits must be arranged before arrival. Work permits are not granted.

For other forms of study such as upper-secondary studies, the following conditions are applicable:

- Methods of support for the study period should be confirmed.
- Studies must be full-time.
- The applicant must have the intention to leave Sweden upon completion of the study period.
- Studies must be confirmed by the organiser and be of such a nature that it is clear that the applicant intends to come to Sweden to carry them out and subsequently return to their country of origin.
- Permits are not granted for studies that are merely preparation for continued studies in Sweden or are directed towards further activities in the country. Certain exceptions are made for Swedish language studies that are required for continued academic studies, see above.
- Permits are not granted in cases where, in accordance with the Education Act, the pupil is required to be resident in the municipality where the education is offered.
- The applicant must be at least 18 years old. This is however not applicable to those coming to Sweden as exchange pupils. If the applicant is under 18, permission is required from their legal guardian, as minors lack legal competence and are therefore not eligible to apply themselves.
- Residence permits are granted for the period of study, for a maximum of one year.²⁹
- Residence permits must be arranged prior to arrival. Work permits are not granted.
- The conditions are thus somewhat similar to conditions for persons wishing to study at universities or higher education institutions.

Residence permits for other studies may also be granted for religious activities, non-profit activities and education/training with companies in Sweden. In certain cases, there are overlaps with residence permits granted for employment purposes, and it is sometimes difficult to draw a line between study purposes and remunerated activities with an educational component.

3.2 Stay

The following section aims to explain the rules for visiting students’ residence in Sweden after arrival. Questions addressed include the validity period of residence permits, opportunities for extension and access to the labour market, both for international students and their dependants.

²⁸ See Migrationsverket 2012a.

²⁹ For certain vocational courses, in addition to upper-secondary and folk high school studies, residence permits may be granted for a period longer than one year. In such cases, permits are granted for one year at a time and can be renewed/extended.

3.2.1 International students

Permit validity period

Third-country nationals who come to Sweden to study receive a temporary residence permit that in certain cases may be extended. Generally, a student's residence in Sweden is considered to be of a temporary nature. Chapter 4, Section 5 of the first section of the Aliens Ordinance states that residence permits are to be granted for the period of studies. In the second section of the paragraph, it is stated that residence permits are to be granted for at least one year or shorter periods if applicable.

Thus the duration of residence permits is relatively flexible. Permits granted by the Migration Board can be found in Table 5.

Table 5: Permit validity periods for residency of visiting students

Study period more than one year		Study period more than one year	
One term of studies, Autumn Term	1 August - 31 January the following year	When students begin in the Autumn Term	1 August – 1 September the following year ³⁰
One term of studies, Spring Term	1 January - 30 June	When students begin in the Spring Term	1 January – 31 January the following year
Two terms of studies (one academic year), begins in the Autumn Term	1 August - 30 June the following year		
Two terms of studies (one academic year), begins in the Spring Term	1 January – 31 January the following year		

Source: Swedish Migration Board 2012a

There is nothing that prevents the Swedish Migration Board from granting residence permits for one or at most a few weeks in addition to the formal study period, should the student require time to acclimatize in Sweden or to complete their stay in an orderly manner.

Residence permit extension

Should studies continue for more than one year, the permit is renewed annually, or for a shorter period if applicable to the studies. The prerequisites for extension are that the conditions applicable to first-time applications are still met and that the student has made good progress in their studies. The difference between an application for extension and a first-time application is that an extension is also possible when a student is already living in Sweden, whereas first-time applicants normally have to arrange their permit before arrival.

The amount of university credits an international student has obtained during their initial study period determines whether the Swedish Migration Board can assert that enough progress has been made to justify an extension. Credits awarded are usually assessed by the Migration Board whereby the student submits an official transcript from the student registry. The dates of completed courses are provided in this transcript.³¹ On 6 February 2009, the Migration Court of Appeal issued two judgements that deter-

³⁰ The granting of a permit for one year and one month upon start of the Autumn Term depends upon the large number of first-time applications received at this time.

³¹ This is not applicable to doctoral students. For doctoral students, credits awarded shall be assessed by means of the responsible supervisor confirming that the study plan is being followed.

mined acceptable credit requirements and the period during which they are to be obtained. The Court stated that a student's progress in academic studies should always be assessed according to the same principles, regardless of the language of instruction (Swedish or English).

On this basis, the Migration Board has set the following requirements for extensions:

- For the first academic year: 15 higher education credits
- For the second academic year: 22.5 higher education credits
- For third and subsequent academic years: 30 higher education credits

Further to this, the Court considered that events such as illness or similar, including illness or death of dependants, may result in less credits being obtained, and that therefore exceptions can be made. As a result, breaks from studies due to illness or other special circumstances are taken into consideration if the applicant can provide proof and if these circumstances have had a direct impact on results of studies, to such a degree that inadequate results can be assumed to be a result of this.³²

As a rule, the necessary credit requirements must have been fulfilled during the period of study for the respective residence permit period. This means that during the assessment for residence permit extension, higher education credits achieved during the latest residence permit period form the basis of the assessment of whether the student has made acceptable progress. Exceptions can be made for higher education credits achieved through retakes in close proximity to when the residence permit expires. If the student has not attained the necessary credits in time and has no reasons for this, the application should be rejected.

In 2011, the Migration Board processed 18,341 applications for extensions of temporary residence permits for studies. 17,254 applications were granted and 460 were refused.³³ The amount of refusals was therefore relatively small.

Access to the labour market

International students are exempt from the requirement to have a work permit during the validity period of their residence permit.³⁴ This means that the student has the opportunity to work during their period of study without restrictions to duration, specific profession or employer. When the student applies for an extension of their residence permit, they are allowed to continue to work while the application is processed, as long as the extension has been applied for prior to the expiry of the previous permit and if the student has previously had a residence permit for at least six months. This exception from the requirement to have a work permit is valid until the Migration Board has reached a decision on the application, or until a negative decision has gained legal force.

In practice, this is also applicable if the applicant has applied for a residence permit for reasons other than continuation of studies (change of status), and regardless of whether the changed purpose of stay is applied for immediately or at a later stage of the examination process.

Work related rights, Swedish social insurance system and access to healthcare

The Swedish social insurance system consists of two different parts, one domicile-based and one employment-based. The domicile-based social insurance includes basic parental and sickness benefits. The question whether a third country national is entitled to domicile-related benefits is primarily handled in accordance with the Population Registration Act (1991:491). Generally, only persons that are registered in the population registry are entitled to domicile-related welfare. In accordance with Section 3 of the Population Registration Act, any person granted a residence permit valid for at least one year must be

³² See Administrative Court of Appeal in Stockholm, Migration Court of Appeal case no. UM 4691-08 and case no. UM 2446-08 (referred to in MIG 2009:5).

³³ Source: Swedish Migration Board.

³⁴ See Chapter 5, Section 2, point 6 of the Aliens Ordinance.

registered. However, in accordance with Chapter 5, Section 7, second paragraph of the Social Insurance Act (2010:110), foreign nationals who come to Sweden for the purpose of study are not to be viewed as domiciled.³⁵

Those viewed as non-domiciles in Sweden are not covered by the domicile-based social insurance. Those in gainful employment in Sweden are however covered by work-related social insurance, which includes certain sickness benefits, pregnancy benefits, income-related sickness benefit and income-based old age pensions. Third-country students who work during their studies therefore have the same work-related rights as persons with permanent residence permits or Swedish nationals, even if their residence permit is only temporary and even if they are not registered in the population registry.

In Sweden, there is no actual statutory right to health and sickness care or dental care for the individual. However, the Swedish County Councils are obligated to provide health, sickness and dental care for all persons resident in the respective county. For those staying within the county without being domiciled there, the County Council's obligation to provide care is limited to emergencies. Issues of domicile are decided in this context according to the rules of national registration in the Population Registration Act as mentioned above. As far as health, sickness and dental care is concerned, however, there is no exemption for students. This means that persons who are granted a residence permit for studies of at least one year must also register and are then covered by the County Council's obligation to provide care for health, sickness and dental problems, both emergency and non-emergency.³⁶

Persons staying in the country on a short-term basis only, that is less than one year, are not registered in the population registry and therefore are not issued a personal identity number.³⁷ This means that the County Council's obligation to provide care is limited to emergency care and persons temporarily visiting do not have the right to assistance unless in an emergency situation.³⁸ Third-country nationals seeking a residence permit for studies for a shorter period than one year must therefore be covered by private comprehensive health insurance, in order to avoid emergency situations. In certain cases, a student's need for insurance may be provided by the education institution in Sweden or the Swedish Institute taking out individual or collective insurance from, for example, the Legal, Financial and Administrative Services Agency (Kammarkollegiet). Insurances provided by this agency may apply to foreign fee-paying students accepted onto – and undertaking – higher education courses at a university or a higher education institution.³⁹ The insurance applies for the duration of studies as well as two weeks before commencing studies and two weeks after completion.⁴⁰

Statistics for stays of third-country students in Sweden

There are no statistics for third-country students who have completed their studies in Sweden, with the exception of statistics for those with residence permit extensions as described above. As all third-country students are exempt from the requirement to have a work permit, it is also not possible to provide information on how many students work during their period of study on the basis of administrative data.

35 This exemption does not apply to those in receipt of study benefits for doctoral studies.

36 See Government Bill 2005/06:129, p. 60.

37 Instead of a personal identity number, a third-country national temporarily residing in Sweden may in certain circumstances be granted a "co-ordination number", for example if they are working and paying taxes and are therefore registered in the tax registry.

38 In emergency situations, third-country nationals who are not registered are referred to their respective embassies to obtain help to return to their country of origin. If the situation of the person seeking help cannot be solved in this manner, by contacting relatives or in another manner, local social services are obliged to assist them, for example by providing a return ticket and subsidy for the journey. (This is not applicable to asylum seekers.)

39 This insurance may also be provided for students who have been awarded scholarships.

40 See Kammarkollegiet, FAS - Statens försäkring för avgiftsbetalande studenter, Försäkringsvillkor [FAS - the Swedish State's Insurance for Foreign Students in Sweden, Insurance Terms and Conditions], 1 January 2011.

Certain statistical information is available regarding persons who have changed status from student permits to work permits. This is examined in section 3.3.

3.2.2 Dependants of international students

In practice, residence permits are granted for family members i.e. spouses, common law spouses and children arriving with a visiting student. The permit is granted for the same length of time as the student's permit.

A basic requirement is that means of support are secured for the whole stay. A spouse or common law spouse should have over SEK 3,500 per month at their disposal, plus SEK 2,100 per month for each accompanying child. This applies to the entire stay, i.e. twelve months per year.

Further conditions are that established family ties must be present, meaning that these persons normally live together. Residence permits are granted under Chapter 5 Section 10 of the Aliens Act. Work permits are not granted.

It is relatively uncommon for dependants to accompany third-country students to Sweden. During 2011, approximately 20 per cent of all applications for residence permits for education reasons concerned dependants to international students. The results of a research report on international students and their motivation to remain in their destination country after studies do not suggest that the possibility of being accompanied by dependants is a determining factor in their choice of study destination (Sykes 2012: 36). According to questionnaires issued to international students in several EU Member States, international students in the United Kingdom, the Netherlands, Germany and France differ from those in Sweden in that international students in Sweden state that conditions for being accompanied by dependants are an important or very important factor when considering whether to remain in the host country after their studies (Sykes 2012: 39). There must however be a certain degree of reservation when considering the results of the Swedish questionnaire due to methodological differences and a much smaller and potentially unbalanced number of students questioned (Sykes 2012:32).

Statistics on dependants of third-country students

Table 6 shows the statistical development relating to the dependants of third-country students. Note that the statistics represented in Tables 1 and 2 differ from those in Table 5 in terms of methodological approach. Tables 1 and 2 above are based on cases in which a decision was made by the Swedish Migration Board, the Swedish missions abroad and the migration courts. Table 6 uses statistics relating to case processing only at the Swedish Migration Board. The table shows the amount of applications for residence permits that were refused, granted or cancelled during the respective years.

Table 6 and figure 4 that visualizes parts of Table 6, show that the number of residence permits processed for visiting students has varied considerably between 2006 and 2011. Between 2008 and 2010, there is a clear increasing trend. The variation regarding dependants of international students is however relatively small. The percentage rate has increased slightly between 2006 and 2010, to later increase considerably in 2011. The percentage of dependants amongst all student related residence permits granted was almost twice as high in 2011 (20 per cent) as it was in the preceding year (11 per cent).

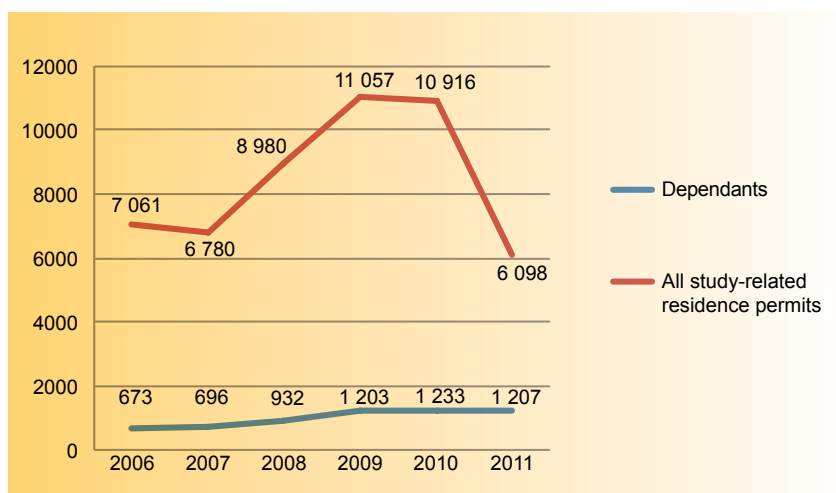
Statistical information on how many of the dependants granted residence permits were children or adults (spouse or common law spouse) respectively has only been available since 2011. That year, approximately 63 per cent of dependants were adults and the remaining 37 per cent, children of visiting students. The percentage of granted residence permits was relatively high for both groups, however the percentage of children granted permits was somewhat higher than that of adults (93 per cent and 89 per cent respectively).

Table 6: First-time permits granted to international students' dependants, 2006-2011

	2006	2007	2008	2009	2010	2011
All student-related residence permits granted	7 061	6 780	8 980	11 057	10 916	6 098
Of which: Dependants of visiting students	673	696	932	1 203	1 233	1 207
Of whom adults	-	-	-	-	-	765
% of all dependants	-	-	-	-	-	63 %
% granted	-	-	-	-	-	89 %
Of whom children	-	-	-	-	-	442
% of all dependants	-	-	-	-	-	37 %
% granted	-	-	-	-	-	93 %
Percentage of dependants among all residence permits granted for education reasons (first-time applicants)	10 %	10 %	10 %	11 %	11 %	20 %

Source: Swedish Migration Board

Figure 4: First-time permits granted to international students' dependants, 2006-2011



Source: Swedish Migration Board

3.3 Period following the completion of study

"Staying on", change of status

In accordance with Chapter 5, Section 18, first paragraph of the Aliens Act, a foreign national who wishes to be granted a residence permit in Sweden must have applied and been granted a permit before arrival to the country. For persons resident in the country with a temporary residence permit on grounds other than for visiting purposes, there are a series of exceptions that facilitate an extension of the residence permit without the need to leave Sweden. This is applicable regardless of whether the reasons for an extension application are the same as before or different (change of status), for example employment or

family reasons. The change of status falls under the "exception for extraordinary reasons to grant permits after arrival" as defined in Chapter 5, Section 18, point 9 of the Aliens Act.

Foreign nationals with residence permits for study at higher educational level can also be granted a residence and work permit for other reasons than study without the need to leave the country, if they have completed studies amounting to 30 higher education credits, or completed a term of research studies.⁴¹ This provision was introduced to make it possible for students who have completed their studies and who already have a job or have received an employment offer to apply for a permit without needing to leave Sweden. The provision is not limited to applications on the grounds of employment and is also applicable in other cases, such as if a student wishes to start their own company.

In contrast to other EU countries, however, there is currently no possibility to be granted a residence permit to stay in Sweden and seek employment after the completed studies. It has become apparent that the possibility to remain in the destination country upon completion of studies for work purposes is an important factor when international students choose their country of study and university. Employment perspectives and career possibilities for international students in Sweden have therefore received some attention. For example, the Gothenburg Region Association of Local Authorities, the West Sweden Chamber of Commerce, the University of Gothenburg and Chalmers University of Technology have, based upon this, carried out the project Talents for Growth. The aim was to create an analysis of how Gothenburg can supply brain gain to the city with help from international students. The project focused upon creating contacts between regional employers and visiting students (Västsvenska Industri- och Handelskammaren et al. 2011). The committee for circular migration and development proposed in 2011 to make it possible for visiting students whose studies encompass at least two terms to be granted a residence permit for a further six months in direct connection to the previous residence permits for studies. What the committee meant is that this would create a "real opportunity for the student to complete their studies and subsequently gain an offer of employment". Such a measure would also simplify the process for students with a business idea or patent that they wish to develop further to start their own business (SOU 2011:28, p. 150-152).

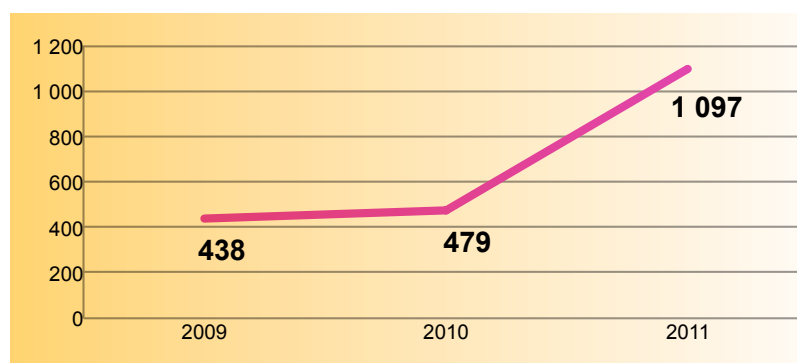
Statistics on the period after studies

In accordance with the specifications for this study, the number of third-country students who apply for work permits should be assessed. There are however no statistics for this in Sweden as visiting students are exempt from the requirement to have a work permit. Thus, all third-country students have access to the labour market. To what extent these students actually work or how many are successful in finding employment is unknown.

The Swedish Migration Board's has, however, statistics on residence permits for work reasons. Here there are different categories such as employees, self-employed persons, berry pickers, artists, employees who previously were asylum seekers and were refused, and also employees who were previously granted a residence permit for studies. Accordingly, there is some statistical information on how many third-country nationals were granted residence permits for work, who previously were visiting students. These statistics do not give consideration to possible time periods between student and employee status. Included in these statistics are persons who changed directly from a residence permit for study reasons to a permit on ground of work and persons who returned to their country of origin after their guest studies and have later come back to Sweden as migrant workers. According to these statistics, 438 persons who previously had a residence permit for studies were granted a work permit in 2009; in 2010 it was 479 persons and in 2011, 1,097 persons. Hence, the statistics show a rising tendency (see figure 5).

⁴¹ See Chapter 5, Section 18, second paragraph, point 8 and Chapter 6, Section 4 of the Aliens Act.

Figure 5: Residence permits for work reasons (previously students), 2009-2011



Source: Swedish Migration Board

A closer study of these third country nationals that have changed their immigration status reveals that employees who previously were international students work both within highly-skilled professions and those with lower qualification requirements. The groups IT-specialists (259 persons) and civil engineers, architects, etc. (206) were at the top in 2011, followed by newspaper distributors, caretakers, kitchen and restaurant personnel and cleaners (Table 7).

Table 7: Professions amongst employees who previously were visiting students, 2011

IT-specialists	259
Civil engineers, architects, amongst others	206
Newspaper distributors, caretakers, amongst others	141
Kitchen and restaurant personnel	101
Cleaners	34
Engineers and technicians	34
Business economists, marketers and human resources	33
Accountants, administrative assistants, etc.	32
Sellers, buyers, estate agents, etc.	22
IT-technicians and IT-operators	18

Source: Swedish Migration Board

3.4 Misuse of the 'student route' to migration

It is not possible to quantify exactly how often or to what extent third-country nationals use study permits to come to Sweden or other Schengen Member States for purposes other than study, for example work or family reunification. It can only be assumed that the "misuse" of student permits has decreased in conjunction with the introduction of tuition fees in 2011. It can now be assumed that it is no longer attractive for third-country nationals to apply for student residence permits, when there is no intention to study. Tuition fees can be viewed as a significant investment that one does not make without a strong commitment to actually carry out studies.

Prior to the introduction of tuition fees, reports were occasionally made about students who had been granted a residence permit but had not registered at a Swedish higher education institution, nor attained any credits, or flawed – sometimes almost non-existent – English language skills. Further to this, possible

cases of misuse were noticed at Swedish missions abroad that had received applications for a residence permit from students who had been accepted to a Swedish higher education institution but who were not able to adequately express themselves in English. In other cases, any suspicions of misuse of the student status were raised upon assessing applications for extensions.

In 2004, the Swedish Migration Board was given the task to monitor decisions for student residence permits. The aim was to find out to what extent studies were completed or even initiated. In cooperation with Statistics Sweden, the Migration Board investigated 6,061 persons that had been granted a residence permit for study reasons in 2003 and 2004. The analysis showed that approximately 27 per cent of all persons that had been granted a residence permit had registered at a higher education institution in Sweden. Among those who had registered, however, only about 60 per cent could demonstrate that they had reached any study results. The Migration Board also found that forged documents and documentation were not unusual. The authors of the report reached the conclusion that further control measures were needed to reach better conformity between the granting of student residence permits and the initiation of studies (Swedish Migration Board 2005: 3, 10-11).

Since the analysis was completed, the rules governing immigration to Sweden have been reformed, not only concerning international students but also other categories of migrants. As a result, one cannot assume that the observations that were made by the Swedish Migration Board in 2004/2005 still are valid today. In light of what was described in the report and the fact that a Swedish residence permit gives the right to travel and stay for three months within the entire Schengen Area, however, a special provision concerning the withdrawal of student residence permits was introduced into Swedish law (Chapter 7, Section 7a of the Aliens Act). This provision has its basis in Article 16 of the EU Student Directive and outlines that temporary residence permits granted to students may be withdrawn if the conditions for granting the residence permit are no longer fulfilled. This means that residence permits may be withdrawn if in retrospect it becomes known that the objective conditions for granting a residence permit have not been fulfilled since the beginning or have later been broken. Some conditions referred to are, for example; the requirement for admission to a known education institute where registration is required after arrival and where the intended studies are indeed being carried out; the requirement for secured means of support; plus the requirement for comprehensive private health insurance.

It has to be acknowledged, however, that withdrawals of temporary residence permits for studies seldom occur in practice. One reason for this is that it is rarely the case that the Swedish Migration Board receives information that would constitute sufficient grounds to initiate a process for withdrawal. For example, there is no incentive for students to notify the Board that he or she no longer fulfils the means of support requirement. Nor is the Migration Board tasked with monitoring students during the period of validity of the residence permit. In conjunction with the introduction of tuition fees in 2011 came the responsibility for higher education institutions to inform the Migration Board if a fee-paying student has not registered on a course or if there is reason to believe that the student has discontinued their studies.⁴² Up until this point, the Migration Board has only received such information on rare occasions. On the premise that student residence permits are only granted for one year at a time and that it can take several months to initiate the withdrawal of a visa, the benefits to this process can be discussed. As a decision for withdrawal can be appealed, in certain cases the residence permit expires before the withdrawal gains legal force. This means that in practice, the student can remain in Sweden for a longer period than the permit is valid, as there is a right to stay in the country as long as the appeal procedure continues.

Last but not least, a student's misuse of their residence permit by working more than the law allows cannot occur in Sweden, as international students are permitted to work without quantitative or qualitative limitations during their period of study. Due to these circumstances, there are also no statistics regarding 'undeclared work' or 'work in excess of maximum work hours' in accordance with the specifications for

⁴² Chapter 2, Section 6a, first paragraph, point 2 and second paragraph of the Ordinance (1993:1153) regarding reporting of studies, etc., at higher education institutions.

this study. It can happen, however, that too much work affects the studies and the number of credits attained, with lacking progress resulting in applications for residence permit extensions being rejected.

4 Transnational cooperation in the area of international students

Universities and higher education institutions in Sweden have a long tradition of international contacts and research exchange with teachers and researchers from other countries. This has been intensified significantly during recent years, as higher education institutions have focused increasingly on internationalization. There is a broad consensus as far as the importance of internationalization is concerned. In the Bill *Ny Värld – ny högskola* [New World - New University] (Government Bill 2004/05:162), the Swedish Government writes that an important ground for internationalization of higher education is that it contributes to the quality of education. Students, doctoral students, researchers and teachers from other countries with international experience are viewed as a resource for the further development of education and research environments. An additional important motivation for the internationalization of higher education is to contribute to the advancement of understanding and respect for other viewpoints, cultures and traditions alongside international solidarity (Government Bill 2004/05:162, p. 32).

Swedish higher education institutions have widespread bilateral cooperation with third-country universities.⁴³ To a greater extent, these are instigated within the scope of programmes such as Erasmus Mundus or Linnaeus-Palme. The International Programme Office for Education and Training (IPK) provides funding and oversees the administration of a large number of bilateral cooperation projects, with the aim to increase internationalization within the higher education sector. The Swedish Institute (SI) also strongly contributes to the building of international contacts and cross-border movement of students, by offering international students various scholarship programmes.

This chapter includes examples of different forms of international cooperation, exchanges and scholarships. Neither a comprehensive overview nor complete statistics are available for the number of foreign universities and higher education institutions with whom Swedish higher education institutions have agreements. It has also not been possible to compile such information for this study due to the large number of existing cooperation types. This chapter focuses instead on comprehensive programmes that finance or support the higher education institutions' international cooperation efforts and exchange programmes for students, researchers and academic personnel.

4.1 Bilateral and multilateral programmes and agreements

This section describes strategies and programmes for international cooperation, independent of EU projects in the academic sector, whereas section 4.2 focuses on European programmes.

The Linnaeus-Palme Exchange Programme

To stimulate increased exchanges with developing countries, in 2000 the Swedish Government introduced the exchange programme Linnaeus-Palme. Linnaeus-Palme is a programme for teachers and students of first, second and third-cycle levels at higher education institutions. It aims to strengthen the cooperation of Swedish education institutes with developing countries and to increase and deepen global contacts within the higher education sector, where both student and teacher exchanges take place. The International Programme Office for Education and Training (IPK) is responsible for the formation and execution of the programme, whereas the programme is financed by the Swedish International Development Cooperation Agency (Sida).

43 For example, for the academic year 2012/2013, Karolinska Institutet in Stockholm has the total of 291 agreements for international contacts and exchanges at first, second and third-cycle levels with 40 different countries. The majority of arrangements fall under the exchange programmes Erasmus, Nordplus, Linnaeus-Palme or Erasmus Mundus. However, there are also a number of bilateral agreements financed by Karolinska Institutet's private funds, see Karolinska Institutet, *Avtal om internationellt utbyte, läsår 2012/2013* [Agreements of international exchange, academic year 2012/2013], Stockholm.

The aim of Sida is to contribute to the creation of conditions for people in developing countries so that they can improve their quality of life. This includes encouraging Swedish higher education institutions to become more global with their internationalization, by strengthening relations and cooperation with developing countries. Linnaeus-Palme also makes long-term cooperation possible between institutions in Sweden and developing countries. The programme is available to all subject areas. Reciprocal cooperation between higher education institutions and universities is believed to enrich the countries participating and create a basis for broader partnerships between them (IPK 2011a: 6). Funding can be sought for planning trips, language courses, and teacher and student exchanges alongside evaluation trips. Applications can be made to take part in the programme once per year. There are currently 117 countries eligible for partnership. These were decided by Sida who consulted the OECD-DAC list for countries in receipt of development aid.⁴⁴ During the academic year 2009/2010, the IPK awarded approximately SEK 44 million to higher education institutions, SEK 3 million more than the academic year 2008/09. Of 333 applications in the academic year 2009/2010, a total of 260 were granted (IPK 2011b: 42).

During the academic year 2009/2010, a total of 33 Swedish education institutions had between 1 and 25 active exchange projects within the Linnaeus-Palme programme. From Table 8 it can be seen that the number of third-country students who came to Sweden as part of the Linnaeus-Palme programme increased between the academic year 2006/2007 and the academic year 2009/2010, to later decrease somewhat. During the academic year 2010/2011, 207 students came to Sweden. The number of foreign teachers coming to Sweden continued to increase during the academic year 2010/2011. The largest countries of origin for foreign students on the Linnaeus-Palme programme were China (29 students), India (21), and Thailand and Uganda (16 each). Amongst teachers, 36 were from China, 29 from South Africa and 26 from Brazil.

Students who come to Sweden as part of the Linnaeus-Palme programme are exempt from paying tuition fees.

Table 8: Number of incoming students and teachers as part of Linnaeus-Palme, 2006-2011

	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Incoming students	222	245	257	267	207
Incoming teachers	218	280	271	313	316

Source: Swedish International Programme Office for Education and Training (IPK)

Swedish development aid policy and Swedish Institute Study Scholarships

Since 2007, Sweden has been practising a "country focus" within the national development aid policy. This means that Sweden is committed to concentrate its development aid resources to fewer countries than before and thereby achieve better results. Focus is placed on 33 developing countries, instead of spreading aid money between a large number of countries. Before the country-focus approach was implemented, 125 countries were in receipt of official Swedish aid. The focused approach was introduced with the aim to achieve better quality and results from aid policy. By liberating resources that were previously thinly spread, it is now possible to become more involved with the countries with which Sweden continues to work. Thus, a strengthened and more developed fight against poverty shall be achieved. Another reason for Sida's focused approach is that global aid flows have increased from countries such as China and other large Western Countries (Government Offices 2007: 1-2). 12 of the 33 countries in official receipt of Swedish aid are part of a "long-term development cooperation". These countries are Burkina Faso, Ethiopia, Kenya, Mali, Mozambique, Rwanda, Tanzania, Uganda, Zambia, Bangladesh, Cambodia and Bolivia (Sida 2012: 25).

⁴⁴ The list is available at <http://www.oecd.org/dac/stats/dacelist>

The country-focus policy is not only applied to the development and project activities that Sida is responsible for; to a certain extent it also characterizes the Swedish Institute scholarships for incoming students. The Swedish Institute has many scholarship programmes within the international collaboration framework; a guest scholarship programme; bilateral scholarships and a new scholarship programme for students from countries with which Sweden has long-term development cooperation.

The Swedish Institute Guest Scholarship Programmes for doctoral students and researchers aims at identifying key persons that can contribute to change and influence to their respective areas. The scholarships are directed to all countries in receipt of official global development aid; approximately 150 countries. For the academic year 2011/2012, the Swedish Institute received 183 applications, 23 of which were approved.

Bilateral scholarships form a relatively small part of the Swedish Institute scholarship programmes. Five researchers from China were awarded a bilateral scholarship during the academic year 2011/2012.

The new scholarship programme for students from the 12 countries with which Sweden has a long-term development cooperation was introduced in 2011, in conjunction with the introduction of tuition fees. The programme is called Swedish Institute Study Scholarships. The scholarships cover tuition fees, living costs and the scholar's travel to and from Sweden. For the academic year 2011/2012, students of more than 500 courses were eligible for scholarships from this instrument. Of a total 2,700 applicants, 416 were accepted onto Swedish courses. From this group, 105 applicants were awarded scholarships, of whom 98 were students at Master's level and 7 at first-cycle level. Between them, the scholars studied on 77 different course programmes at a total of 24 Swedish higher education institutions. With the exception of Mali, all 12 countries that are part of Swedish long-term development cooperation policy were represented amongst the beneficiaries of the scholarship (Svenska Institutet 2012: 32, 37).

Other scholarships and exchange programmes

In addition to Linnaeus-Palme and the Swedish Institute (SI) scholarships within the scope of international aid and collaboration, there are also a number of other scholarships and exchanges. For example, the SI has a Baltic Sea Cooperation that finances various academic projects and scholarships for visiting students from around the Baltic Sea Region. A total of 126 scholarships were awarded in 2011 for incoming visiting students and researchers from within the Baltic Sea Cooperation. The majority of students came from Russia and the Ukraine (Swedish Institute 2012: 23, 26). To a limited extent, SI also offers scholarships within the Swedish-Turkish Scholarship Program and SI Scholarships for East Europe. These were recently utilized by a total of 51 and 14 students respectively (Svenska Institutet 2012: 42). Many Swedish education institutions also award scholarships created from their own funds. An application for a scholarship is generally made upon application for courses.

In addition to the programmes and scholarships already named, there are bilateral scholarships based on formal or informal agreements at government level between Sweden and China, Italy and Japan. These agreements make it possible for foreign students to come to Sweden but they are reciprocal, meaning that Swedish students are offered places to study in the partner countries.⁴⁵

4.2 Cooperation with EU or international organizations

The following section provides an insight into exchange projects for third-country students that are linked to EU financing. It provides examples of how the movement of third-country students within the EU is facilitated. The section also describes difficulties and problems often encountered in conjunction with movement within the EU.

⁴⁵ For further information see <http://www.studyinsweden.se/Scholarships/Bilateral-scholarships/>

Erasmus

Erasmus is the largest and oldest of the European mobility programmes and is included in the EU Lifelong Learning Programme. Since the beginning of 1987, over two million European students have taken part in Erasmus, of which approximately 50,000 have been Swedish. The aim of the Erasmus programme is to increase quality and strengthen the European dimension of higher education, via encouraging cooperation between European higher education institutions. In Sweden, the International Programme Office for Education and Training (IPK) administrates the de-centralized areas of Erasmus and informs about the results from the centralized areas.⁴⁶

During the academic year 2010/11, 38 Swedish universities and higher education institutions took part in Erasmus. The IPK granted approximately SEK 80 million to the Swedish education institutions that took part in the programme during the academic year 2009/10. Of the Erasmus funding, circa 97 per cent was utilized by higher education institutions. A strong increase in the number of outgoing Swedish Erasmus students was visible from when Sweden began administering the Erasmus programme, up until 1998/99 where the trend was broken. Since then, the number of exchanges has stabilized at a level of approximately 2,500 students per year. During the academic year 2009/10 the number of outgoing students increased to 2,728. Erasmus work placements were a new activity for the academic year 2007/08 and they received great interest. However, the number of incoming Erasmus students has in recent years been considerably higher than the number of outgoing Swedish students. In the academic year 2008/2009 there was a total of 8,840 incoming students in Sweden (studies and work placements combined) whereas there was a total of 2,683 outgoing (IPK 2011b: 12).

In the context of this study, it is important to point out that Erasmus is not exclusive to students who are Nationals of a participating country (EU Member States plus Iceland, Liechtenstein, Switzerland, Norway, Turkey, Croatia and the Republic of Macedonia). Erasmus is also open to third-country national students who are registered on regular programmes of study at a higher education institution in a country that participates in Erasmus. Thus, even third-country students who are resident in one of the named countries or who study there as visiting students may take part. In the academic year 2010/2011, a total of 10,034 incoming students arrived in Sweden, of whom 197 were nationals of a country outside of the Erasmus cooperation.⁴⁷ The number of third-country nationals within Erasmus is therefore relatively small.

Erasmus Mundus

Erasmus Mundus is an EU-financed programme directed at cooperation with countries outside of the EU, EFTA, EEC and EU candidate countries. Higher education institutions can apply for funding for various cooperation and exchange projects. In Sweden, the IPK has the role of national office, known as the National Structure for Erasmus Mundus. The programme consists of three areas known as 'actions' that are driven in consortia of higher education institutions.

- Joint Programmes including scholarships - Action 1
- Partnerships with Third-country higher education institutions and scholarships for mobility - Action 2
- Promotion of European higher education - Action 3

Action 1 includes transnational European Master's and research education programmes within consortia of higher education institutions from at least three European countries. For participating students, Erasmus Mundus contains obligatory studies in at least two countries within the consortia, thus necessitating an element of intra-EU mobility. The studies should be recognized in the respective countries and upon completion, students may be awarded a single or combined qualification. The action finances Master and research programmes by providing support for administration and scholarships for students and teachers.

⁴⁶ The de-centralized areas include: Student and teacher exchange and personnel training, organization of mobility, intensive courses in more minority languages and intensive programmes. The centralized areas within Erasmus are multilateral projects, the Erasmus Network and supplementary measures, see IPK 2011b: 12.

⁴⁷ Source: IPK. In total, 734 incoming students were citizens of countries outside of the EU, of which 397 of Turkey, 100 of Norway and 40 of Iceland. These three countries are included in the Erasmus cooperation but not Member States of the EU.

Action 2, previously known as Erasmus Mundus External Cooperation Window, supports partnerships between European education institutions and education institutions in specific regions and countries (industrialized countries/developing countries). This action focuses special attention on socially and politically vulnerable groups. Consortia within Action 2 contain at least five higher education institutions, from at least three European and a number of non-European countries. A partnership may contain up to 20 partner organisations. Action 2 supports administrative cooperation and provides scholarships for European and non-European students for studies of either an entire, or part of a specific education programme, as well as scholarships for teachers and researchers.

Action 3 provides support for trans-national initiatives, studies, projects and other activities that work to make European higher education more attractive at a global level. The key processes in Action 3 are to bring forward and increase international awareness of European higher education institutions, share programme results and good examples whilst utilizing and integrating these results at institutional and individual levels.

In the academic year 2009/2010, 15 Swedish higher education institutions took part in Erasmus Mundus. In 2011, the Swedish Government established rules concerning registration and tuition fees for third-country nationals that take part in the Erasmus Mundus framework. Erasmus Mundus students are now exempt from the otherwise obligatory registration fee, and tuition fees for studies in Sweden that are offered in the framework of Erasmus Mundus consortia that were established after 1 September 2010, are now reduced to the scholarship sum. This means that it is now possible for third-country students awarded Erasmus Mundus scholarships to have their fees reduced to the maximum scholarship in the programme - that is to EUR 8,000 per academic year in Action 1 and EUR 3,000 in Action 2, respectively. In practice, it is now the higher education institution at which a student is enrolled that covers the remaining fee balance and not the student.

In 2011, 79 third-country nationals came to Sweden under the Action 1 framework. 73 of these took part in a comprehensive Master's course and 6 in doctoral studies. Participants came from a wide range of countries, including Bangladesh, India, Iran, China, Mexico, Nepal, Pakistan and the USA.⁴⁸ Statistics for incoming third-country nationals within Actions 2 and 3 during 2011 were not yet available when this study was written.

In 2010, 552 third-country nationals came to Sweden via the Erasmus Mundus project. Of these, 246 persons took part in a mobility project for developing countries within Action 2. The other participants were under the Action 1 framework.

ASEM-DUO

During 2010, Sweden became an active part of the ASEM-DUO Fellowship, a cooperation programme for higher education between the EU and Asia. Swedish students apply for scholarships in pairs, together with an Asian student at the destination university where the exchange will take place.⁴⁹ There is also a possibility to apply for scholarships for teacher exchanges. In the academic year 2009/2010, 12 Swedish students and teachers took part in ASEM-DUO and 12 Asian students and teachers came to Sweden (IPK 2011b: 7). In relation to Erasmus and Erasmus Mundus, the ASEM-DUO programme is small. Only four Swedish higher education institutions took part during the academic year 2009/2010.

IAESTE

IAESTE (the International Association for the Exchange of Students for Technical Experience) is an international organization that works to facilitate the process for students within higher technical education to obtain an international work placement whilst increasing international understanding between students

⁴⁸ Source: IPK

⁴⁹ Previously, Swedish students were only able to participate through other exchange programmes such as DUO-Korea, DUO-Thailand or DUO-Singapore, where they faced competition from other European students.

from different countries. On 1 April 2012 responsibility for IAESTE was handed over to Chalmers University of Technology from the International Programme Office for Education and Training. The organization builds upon a reciprocal exchange of work placements; the number of Swedish students who are able to travel depends upon how many placements businesses and organizations in Sweden can offer to foreign students. In 2011, 16 third-country students came to Sweden to complete an internship placement at a Swedish company within the scope of IAESTE. In 2010 there were also 16 students. In 2009 there were 10 students and in 2008, 23.⁵⁰ Students came from both industrialized countries and developing countries.

Possibilities to facilitate the mobility of third-country students within the EU-

The EU students Directive 2004/114/EC states that Member States shall simplify the conditions for arrival and stay for third-country students who participate in Community programmes that promote mobility to or within the Community.⁵¹ In principle, for third-country students who come to Sweden via the Erasmus Mundus programme, the same terms and conditions as for other visiting students are applicable in matters of visas and/or residence permits. If the student already has a residence permit for another European country, he/she then has the right to stay in Sweden for up to three months. For longer studies in Sweden, a Swedish residence permit is required. Students can apply for a residence permit at a Swedish mission abroad in the country where he/she is currently resident. It is therefore unnecessary for them to return home and apply for a permit from their country of origin.

Arranging for third-country students who participate in exchange projects such as Erasmus or Erasmus Mundus to be exempt from the requirement to pay registration fees and tuition fees, as well as arranging for the fees to be reduced, can be seen as a way to simplify movement to Sweden for these students.

Practical difficulties and problems regarding EU mobility

There are a number of practical problems regarding the mobility of third-country students within the EU. Within the framework of the Forum for Internationalization, for example, (see section 2.2) various difficulties and problems have been identified and discussed, such as the possibilities for third-country students

50 Source: Statistics from IPK in the report IPK 2011b: 21 - 22 give a higher number of IAESTE- participants which is because a higher number of nationals from EU countries participate in the programme.

51 See articles 6 (2) and 8 of Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission and residency of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service. Article 8 states the following:

1. Without prejudice to Articles 12(2), 16 and 18(2), a third-country national who has already been admitted as a student and applies to follow in another Member State part of the studies already commenced, or to complement them with a related course of study in another Member State, shall be admitted by the latter Member State within a period that does not hamper the pursuit of the relevant studies, whilst leaving the competent authorities sufficient time to process the application, if he/she:
 - (a) meets the conditions laid down by Articles 6 and 7 in relation to that Member State; and
 - (b) has sent, with his/her application for admission, full documentary evidence of his/her academic record and evidence that the course he/she wishes to follow genuinely complements the one he/she has completed; and
 - (c) participates in a Community or bilateral exchange programme or has been admitted as a student in a Member State for no less than two years.
2. The requirements referred to in paragraph 1(c), shall not apply in the case where the student, in the framework of his/her programme of studies, is obliged to attend a part of his/her courses in an establishment of another Member State.
3. The competent authorities of the first Member State shall, at the request of the competent authorities of the second Member State, provide the appropriate information in relation to the stay of the student in the territory of the first Member State.

in Sweden to participate in Erasmus exchange projects and study in another EU Country, to later return to Sweden and complete their studies.⁵² The primary challenge appears to be that EU Countries do not have cohesive legislation regarding the arrival of third-country students who require residence permits. Rules for residence permits (and national visa) are governed by national legislation of the Member States. These national regulations shall be in accordance with the Students Directive 2004/114/EC and its imperative provisions, though Member States do not need to have harmonised practices regarding areas such as procedures for granting permits. The EU Commission ascertains in its report on the implementation of the Students Directive that this instrument is not used to its full potential yet:

"In particular, the level of harmonisation achieved by the Directive, adopted under the unanimity rule, is rather weak, since only a few provisions of the Directive are legally binding and many provisions do not contain specific obligations for Member States."⁵³

The European Schengen framework means that currently a third-country national with a residence permit for one Schengen State has the right to stay in other Schengen States for a maximum of three months within any six month period. This means that persons who are to stay in another Member State for a maximum of six months do not need to have a residence permit for the other country. Swedish higher education institutions and students have reported to the Migration Board and other authorities that the problems faced are mainly applicable to situations where some form of residence permit is required, i.e. when the stay in another EU Country exceeds three months. The Member States decide themselves what is to be viewed as the necessary means a student must have in order to fund their stay, studies and return journey. National rules governing residence permits differ in methods such as how a student has to prove that sufficient funds are available. Member States may also have different demands regarding the language skills of the applicant. When a third-country national wishes to study not just in one EU Country but two or more, therefore needing to apply for residence permits in several countries, it is important that all Member States offer easily accessible and clear information about which national rules apply.

Another problem concerning third-country students in Sweden who move further within the EU is the extension of the Swedish residence permit. Occasionally it transpires that in order for the student to be granted a residence permit for another Member States, this State requires that Sweden issues a residence permit which includes not only periods spent in Sweden, but also study periods to be spent in the other Member State. In accordance with existing Swedish practice, however, the Migration Board does not grant residence permits for periods in another country. This does not mean that the student must - or even should - wait to submit their application for extension until it is time for them to return to Sweden. Should the application for extension arrive in good time, it is possible that the extension is granted, and a new residence permit issued, before the student leaves Sweden. Thus, he or she will already have the necessary papers before it is time to return to Sweden.

Statistics of third-country student mobility within the EU exchange programme framework

Table 9 displays the number of third-country nationals who came to Sweden as part of one of the exchange programmes named above between 2006 and 2011. There are currently no completed figures for 2011. It should also be noted that the years given in the tables usually refer to the years where the applications for participation in the respective programmes were received. This does not necessarily indicate that this was the year that a student's stay in Sweden began.

⁵² See minutes from the meeting of the Forum for Internationalization on 9 December 2011.

⁵³ COM(2011) 587 final, p. 10.

Table 9: Incoming third-country nationals within different programmes, 2006-2011

	2006	2007	2008	2009	2010	2011
Erasmus	N/A	N/A	N/A	N/A	734	N/A
Erasmus Mundus	384	442	680	719	552	79
ASEM-DUO	N/A	N/A	N/A	5	12	N/A
Linnaeus-Palme	222	245	257	267	210	N/A

Source: Swedish International Programme Office for Education and Training (IPK)

It is difficult to compare the number of third-country students studying in Sweden as part of an exchange project with the number of 'free movers' - persons who independently arrange their studies in Sweden. According to the Swedish National Agency for Higher Education, around 42,000 foreign students participated in higher education courses at first, second or third-cycle level during the academic year 2009/10. Approximately 14,200 of these were exchange students that came via a Swedish, international or EU programme. Approximately 27,800 persons – two thirds – were 'free mover' students (Högskoleverket 2012: 47). These figures from the Swedish National Agency for Higher Education include both students who are nationals of an EU Country and third-country students.

According to the Swedish National Agency for Higher Education, the number of free mover students from countries outside the EU, EEA and Switzerland was 16,700 during the academic year 2009/10. The four largest countries of origin were China, Pakistan, Iran and India. 3,910 incoming students came from China during the academic year 2009/2010, of whom 3,220 were free movers whereas 730 were participants in an exchange programme. For students from Pakistan, nearly all (2,930 of a total 2,950) incoming students were free movers.⁵⁴

In 2011, the number of international applicants to Swedish Master's programmes decreased by 73 per cent, from 91,800 applicants for the Autumn Term of 2010, to 25,100 applicants for the Autumn Term of 2011. This can be viewed as a consequence of the introduction of tuition fees for free mover students from third-countries (Högskoleverket 2012: 47).

When comparing the number of first-time residence permit applications for studies at higher education institutions or universities granted by the Swedish Migration Board in 2011 (4,472) and the number of students required to pay tuition fees who started to study at Swedish higher education institutions in the Autumn Term of 2011 (just 1,350 according to Högskoleverket 2011b: 5), it is apparent that free-mover students are now in the minority of all third-country students. The figures are not directly comparable, as it is uncertain how many of the persons who are granted residence permits for a certain year also begin their studies in the same year, or even come to Sweden at all. The numbers can however suggest that there is a break in trend since the introduction of tuition fees.

4.3 Other forms of cooperation

Joint degrees

The question of joint degrees or joint qualifications has been an important part of the development of international cooperation among higher education institutions during the 2000s. Since 1 July 2010, it is permissible in Sweden for a university or higher education institution governed by the Higher Education Ordinance or a private education provider with power to award qualifications to award a joint degree, in conjunction with a university, higher education institution or private education provider with power to award qualifications or a foreign education institution that is not a physical person. Joint degrees can be

⁵⁴ For further countries of origin, see Högskoleverket 2012: 48.

viewed as an encouragement for the movement of international students, as they remove any uncertainties concerning the recognition of qualifications awarded in a foreign country. The opinion of the Swedish Government is that the experiences, knowledge and formal qualifications attained through foreign education is of great importance and can be taken further into the education system and the labour market in Sweden (Government Bill 2008/09:175, p. 64). In comparison with other countries, Sweden was late in recognizing joint degrees. Today, however, several Swedish universities offer their students the possibility to achieve a joint degree.

As support for international cooperation within the higher education sector and in order to bring forward mobility, a number of agreements have been concluded between different countries. In Lisbon, the Convention on the Recognition of Qualifications concerning Higher Education in the European Region was signed in 1997, elaborated by the Council of Europe and UNESCO. The convention, known as the Lisbon Recognition Convention, has been ratified by 53 countries, including Sweden. According to the Convention, each party recognizes evidence of education awarded by other parties if they meet the general eligibility requirements for higher education.

Course development projects and pedagogic development

In addition to joint degrees, the internationalization of higher education now includes a series of other activities that affect student, teacher and researcher mobility, such as course development projects and pedagogic development. This area of cooperation has been stimulated through the various EU education programmes. The EU programmes Erasmus and Erasmus Mundus in particular have encouraged higher education institutions to cooperate in the development of courses and education programmes.

Internationalization strategies in higher education institutions' guidelines and steering documents

In a report published in 2008, the Swedish National Agency for Higher Education noted that the number of higher education institutions that had approved particular guidelines for internationalization had increased (Högskoleverket 2008: 23). Today, almost all Swedish higher education institutions have steering documents that contain aims or strategies for internationalization. These guidelines can be found in the form of action plans or internationalization strategies that contain goals for one or more years.⁵⁵

International activities of Swedish higher education institutions

Another way for higher education institutions to work internationally is to establish branches or offices or to carry out assignment activities abroad. Up until now, Swedish universities have not been active to any great extent with international establishments; however there are a few examples. In 2009, Lund University established the European University Centre at Beijing University. The Centre is a collaboration between ten European universities that previously have cooperated with Beijing University. The aim of the Centre is to bring forward the development of joint research projects and comparable studies between Europe and China, to arrange conferences, to establish joint courses at Master's and doctoral level, and to create a platform for cooperation between European universities, Beijing University and other Chinese universities and research institutes. The Centre also functions as a coordinator for Chinese universities taking part in the exchange of researchers, doctoral students and students within the Erasmus Mundus exchange programme (STINT 2011: 30). Another example is Stockholm School of Economics, a private business school funded primarily through private financing. The School runs courses in Latvia and Russia in addition to research operations in Tokyo in collaboration with Harvard Business School and Tokyo University. There are also smaller offices abroad for other Swedish higher education institutions. One example of this is Chalmers University of Technology in Gothenburg, which opened Chalmers International Taiwan Office in 2003. The office gives Swedish students the opportunity to gain experience abroad and encourages students from Taiwan and surrounding Asian countries to apply to Chalmers.⁵⁶

⁵⁵ One example of this is: Karolinska Institutet (2011): *Internationaliseringsstrategi* [Internationalisation strategy].

⁵⁶ See <http://www.asia.chalmers.se/index.php>

5 Impacts of international students in Sweden

Third-country students can contribute to both Swedish higher education and research and the Swedish community in general in many different ways. Even though the students' impact on Sweden is difficult or impossible to measure precisely, certain tendencies are clear: First and foremost, diversity of experiences and knowledge that can be created through the attendance and participation of third-country students can raise the level of quality in higher education. The Swedish Government recognizes that internationally influenced education environments highly reflect the way that many students can encounter their working life after their studies. As a number of third-country students continue on to research level and enter the labour market after completion of studies, student mobility and internationalization can create great value for both research and working life in general. According to the government, students also provide opportunities for long-term relations between Sweden and other countries, thus creating positive attitudes and good ties that are important for trade and investment. Furthermore, increased student mobility is assumed to forward sustainable and democratic development and contributes to fighting poverty in other parts of the world. In addition, third-country students contribute to the economy by way of living costs during their period of study (Government Bill, 2009/10:65, p. 16).

In addition to these general observations, this chapter will clarify certain areas where international students integrate into society and where multiple influences can be found.

Competition for study places

One question raised in the specifications for this study is whether situations may arise where domestic and international students compete for study places, therefore creating advantages and disadvantages for one of the two groups.

In Sweden there are regulations for admission to higher education courses in the Higher Education Ordinance, the Higher Education Act, the Swedish National Agency for Higher Education's criteria for general eligibility and selection, as well as higher education institution and university admission criteria. To be admitted to a higher education course in Sweden, it is necessary for certain prior knowledge or "entry requirements" to be met. There are general and specific entry requirements.

In principle, the admission criteria are the same for applicants with Swedish qualifications and applicants with foreign qualifications. All courses and programmes offered at Swedish higher education institutions are open to applications from all eligible candidates, regardless of whether they are resident in Sweden or have the intention to come to Sweden to study. The higher education institution responsible for the course states the respective entry requirements, or if not, they follow the decisions stipulated in the Higher Education Act or criteria set out by the Swedish National Agency for Higher Education. If not all eligible students can be accepted onto a course, a selection is to be made. Questions about admission to programmes are then handled by the institution concerned. The decision that an applicant does not meet the admission requirements for courses at first, second or third-cycle levels as well as decisions that a dispensation from the admission requirements cannot be granted can be appealed at the Higher Education Appeals Board (Riksrevisionen 2009: 31-32).

Although Swedish and incoming students should be treated equally in connection with admission to university and higher education institution courses, the question as to whether or not competition may arise between students within Sweden and international students is not easy to answer. The tuition fees, which only apply to third-country students, may be viewed as a disadvantage for this group. The Swedish National Audit Office further noted in a report published in 2009, that third-country students must apply for courses earlier than Swedish students, as certifying foreign grades requires more time for the relevant authorities and the processing of residence permits can also cause delays (Riksrevisionen 2009: 32-33). This can also be seen as a disadvantage.

Since 2002, higher education institutions and universities have been tasked with promoting and broadening recruitment for higher education. Education policy has tried to achieve a system for higher education in Sweden where students base their choices not upon traditions and social background, but upon individual merits, interests and qualifications (Högskoleverket 2007: 5). In the quest for 'broader recruitment', higher education institutions place social and cultural diversity and gender issues in the centre. The situation for incoming students compared to domestic students has not been a subject of discussion in the talks concerning broadened recruitment strategies.

Transition from study to employment

Statistics described in section 3.3 showed that the number of third-country nationals granted work permits who previously had studied in Sweden increased during the 2009-2011 period. This development could be a result of various factors. On the one hand, Sweden introduced new regulations for labour migration in 2009 that has meant that the employers' demand for labour force is now a driving factor, and human resources are brought forward as an important part of global migration. Third-country nationals are now fairly able to move easily to Sweden to work – on the condition that he or she has an offer of employment (Swedish Migration Board/EMN2010: 2). As part of the system it is now also relatively easy for persons with residence permits for study reasons to change to a permit for work reasons without first needing to leave the country. Additional factors could be that the number of visiting students has increased throughout the years leading up to 2010 and thereby also the number of third-country nationals looking for employment upon completing their studies. In this context, it may also be important to note that visiting students are allowed to work during their studies. By coming into contact with employers and gaining experience of the labour market at such an early stage, it can be easier for them to find employment after receiving their degrees.

Unlike a number of other European countries, however, there is still no possibility of obtaining a residence permit for seeking employment in Sweden after completion of studies (Sykes 2012: 16, 19). International students who complete their studies but have not found employment or any other reason to remain in Sweden must leave the country. The creation of a temporary residence permit for persons who wish to seek employment after their studies has been suggested, but has not yet been introduced into Swedish law. Such a permit could facilitate transitions from stays for education reasons to residence permits for work reasons.

Brain drain or brain gain?

Section 3.3 also showed that a large number of persons who went from student status to being granted a work permit had jobs within areas that demand a high level of qualifications. Many worked as IT specialists, civil engineers or architects but there were also many former visiting students who worked in areas with low qualification requirements such as newspaper distributors, caretakers, kitchen and restaurant personnel and cleaners. By welcoming international students who later remain in or return to Sweden, this means that on the one hand, Sweden has succeeded in attracting a well-qualified workforce through the student route. On the other hand, it is obvious that not all previous students find jobs within academic professions. There may be different reasons behind this, such as students being unable to find available jobs despite having good qualifications. They may also not have sufficient command of the Swedish language, or certain students may not have succeeded with their studies and therefore only have found jobs with lower qualification requirements.

Both in Sweden and in international contexts, the connection between migration and development has been the subject of much discussion for many years. One of the questions that reappears in this context is whether migration constitutes a loss for the country of origin (brain drain) or whether it constitutes a long term profit, as migrants return from their destination countries with money, knowledge and experience (brain gain). The Swedish committee for circular migration and development reached the conclusion that international students that move abroad are an important group for many developing countries, as they form a highly qualified resource with international experience that can contribute to the development of their countries of origin in different ways upon their return (SOU 2011:28, s. 78). It is not possible

to determine from the available statistics how many visiting students in Sweden actually return to their country of origin, what they do there as well as how many remain in Sweden after their first permit to either go on to further studies, begin employment, start a family or migrate on to another country from there. From the stock data discussed in chapter 3.1 it is easy to assume that a significant number of visiting students do return to their country of origin. The proportion of valid student permits (first-time permits and extensions) decreased from 26,547 in 2010 to 19,474 in 2011. It is unlikely that all persons granted study permits in 2010 who were no longer studying in 2011 have taken a different direction and been granted a residence permit on other grounds. The conclusion can therefore be made that some students are a brain gain for Sweden, the country that has received them, whilst others – the students who return – are an asset to their country of origin. The fact that more visiting students than previously have been granted work permits in 2011 may also indicate that brain circulation is occurring i.e. to a certain extent students are returning to their country of origin to later return to Sweden as employees.⁵⁷

Student migration in the overall context of immigration flows to Sweden

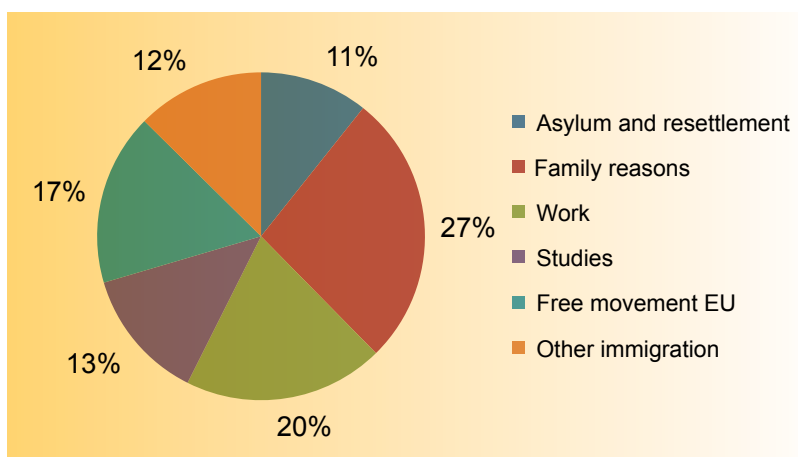
It is also interesting to observe student migration in the overall immigration context. In the introduction to this study, statistics showed that 20.6 per cent of all residence permits granted within EU Member States were issued for the purpose of study. In Sweden, however, the share of students among all third-country immigrants is considerably smaller.

Figures 6 and 7 below visualize the percentage of the different grounds for residence permits granted in 2010 and 2011 (first-time permits, without extensions). Residence permits granted for studies constituted approximately 13 per cent of all first-time permits granted in 2010. Residence permits issued for family reasons (family reunification, adoption etc.) constituted approximately 27 per cent of all granted first-time applications, followed by work permits (20 per cent) and persons moving to Sweden within the framework of free movement in the EU and the EEA (17 per cent). Thus, residence permits for students were the fourth largest category in 2010. Immigration on humanitarian grounds (asylum etc.) constituted 11 per cent of all permits granted. The remaining 12 per cent were granted for other forms of (temporary) immigration, such as visits.

The situation was different in 2011 due to a strong decrease in the number of first-time applicants for student permits. Now residence permits granted for studies only constituted around 6 per cent of all granted first-time applications. Other categories such as persons coming to Sweden under the EU free movement Directive and third-country nationals who were granted permits on humanitarian grounds, were now larger than the student category. The exact figures for 2010 compared with 2011 are assessed in Table 10.

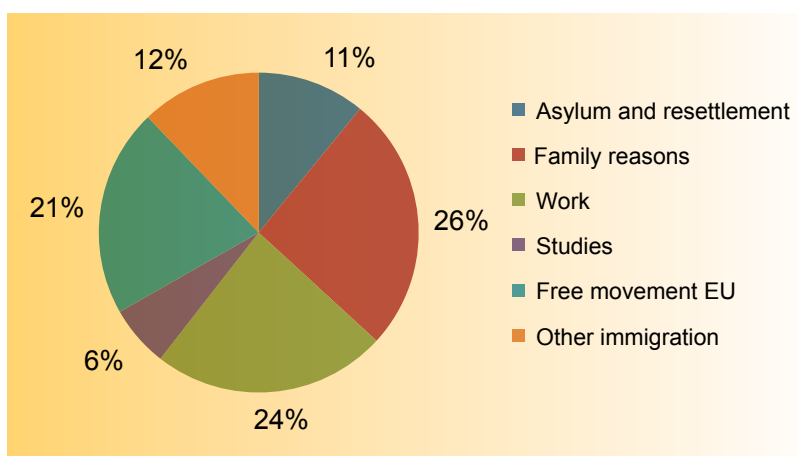
⁵⁷ From the statistics discussed above, it is however not possible to know to what extent those who change direction from studies to work change their status immediately in connection with their studies, or move abroad to later return to Sweden.

Figure 6: Grounds for first-time residence permits granted, 2010



Source: Swedish Migration Board

Figure 7: Grounds for first-time residence permits granted, 2011



Source: Swedish Migration Board

Table 10: Grounds for first-time residence permits granted, 2010 and 2011

Reasons for residence permits	2010	2011
Asylum and refugee quota	11 648	12 023
Close family ties	29 298	28 520
Employment	21 507	26 119
Studies	14 188	6 836
Free movement within the EU	18 462	23 197
Other immigration	13 706	13 419

Source: Swedish Migration Board

The impact of tuition fees on overall revenues of higher education institutions

One question that can appear in conjunction with the introduction of tuition fees in 2011 and their implications is to what extent international free-movers contribute to the revenue of higher education institutions through the payment of tuition fees. Examples from Lund University and the Royal Institute of Technology (KTH) show that the impact of tuition fees on the overall revenue of universities has been relatively small. Lund University, which among all Swedish higher education institutions had the highest number of international students among their beginners, states in its annual report for 2011, that the revenue earned from tuition fees for third-country students amounted to SEK 12.2 million. This sum constitutes less than 0.2 per cent of all revenue earned by the university in 2011 (SEK 6,553 million) (Lunds Universitet 2012: 86). At the Royal Institute of Technology in Stockholm, to name another institute with many tuition fee-paying students, the revenue earned from the tuition fees amounted to approximately SEK 9 million. This sum constitutes 0.24 per cent of all revenue earned by KTH in 2011 (SEK 3,713 million) (KTH 2012: 47).

6 Conclusions

Conclusions regarding developments in Sweden

This study has shown that the migration of third-country students to Sweden has changed considerably in its scope during the recent decade. Up until 2010, this form of migration had increased strongly, to later decline by half during 2011. In all likelihood, the decline during 2011 was caused by the introduction of tuition fees for third-country students beginning in the autumn term 2011 and perhaps – in the same year – the introduction of Residence Permit Cards containing biometric data. These two measures may have made it more difficult for international students to choose a Swedish higher education institution for studies abroad and not another study destination.

As the Swedish Migration Board has simplified the application process for residence permits for study reasons, by offering the possibility to apply for a residence permit on-line, thus speeding up the application process for students, a positive signal is sent to potential visiting students and the Swedish institutions that wish to recruit them. Mid-year data for 2012 show, however, that the number of third-country nationals who have applied for residence permits for studies has decreased further, in comparison with the same period in 2011. Sweden received 3,685 first-time applications for student permits during the period 1 January to 30 June 2012. During the same period of the preceding year, this was 4,233 applications. (As a logical consequence, the number of applications for residence permits extensions has also decreased, from 10,880 to 9,541.)⁵⁸

With this in mind, it appears to be a challenge for Sweden to increase the number of third-country students who come to Sweden. If Sweden is to continue to be an attractive destination for third-country students, efforts can be needed from various actors such as universities and higher education institutions, the Swedish Migration Board and the Agency for Higher Education Services. Regarding exchange programmes, the International Programme Office for Education and Training plays an important role, and even scholarships issued by the Swedish Institute can alleviate the burden of tuition fees and are therefore important in this context. Ultimately, of course, the overall responsibility for policies pertaining to the entry and stay of international students rests with Parliament and the Government.

Many higher education institutions have already intensified their internationalization work to continue to attract visiting students from third-countries. Measures include closer collaboration with the Swedish Migration Board regarding the processing of residence permits, more active marketing and targeted recruiting schemes abroad and better structures for welcoming third-country students. Some universities have gone as far as to offer a housing guarantee for incoming students (see KTH 2012: 32). There is also on-going work with the aim to find comprehensive solutions for marketing and recruiting international students. A report from the Swedish Growth Analysis agency points out, for example, the importance of higher education institutions' international contacts, fast admission processes and the role of social media and alumni in sharing experiences from studies in Sweden (Tillväxtanalys 2011).

In another study, the Swedish National Agency for Higher Education has concluded that higher education institutions in Sweden had to deal with additional work and expenses in connection to the implementation of tuition fees for third-country students in 2011 (Högskoleverket 2011b). At the network conference, Entry and stay of international students in Stockholm, organized by Sweden's EMN National Contact Point on 18 April 2012, problematic issues surrounding tuition fees were also brought forward and various future scenarios were discussed. Several speakers were sceptical about the possibility for universities and higher education institutions to increase or at least maintain the number of international students in the long-term. One possible conclusion in this regard is that whilst larger universities with well-established international renown may be able to continue recruiting visiting students, the situation for smaller higher education institutions could become significantly more difficult. They may be faced with situations

⁵⁸ Swedish Migration Board.

where they are forced to choose whether to place many resources into marketing, creating a profile and recruitment, or focus upon other groups instead of the fee-paying third-country students, for example, European students or exchange students who are not obliged to pay fees.

The Swedish Migration Board also has an ambition to further simplify the procedures surrounding the entry and stay of foreign students. Examples of this have been mentioned in this study, including the aim to speed up case processing, intensify dialogue with education institutions and other authorities to better understand their needs, and the introduction of electronic applications.

The Forum for Internationalization has identified a series of different problems and challenges faced by Sweden and has begun working to find solutions. As examples for issues that require further attention, the Forum has named:

- The processing times for residence permit applications,
- the processing times for university admittances,
- the requirement for international students who are subject to visa obligations that the residence permit card must be arranged before arrival in Sweden,
- the need for improved cooperation between public authorities and between higher education institutions and the Swedish Migration Board and, in particular,
- the high administration costs and lack of flexibility within scholarship and exchange programmes such as Linnaeus-Palme and Erasmus Mundus (Högskoleverket/IPK 2011).

Further to this, there are other difficulties for international students in the Swedish society; e.g., the lack of affordable housing in large cities, difficulties in opening bank accounts or buying mobile phones without a personal identity number, or uncertainty around the recognition of Swedish qualifications abroad. A considerable incentive for third-country students to apply for studies in Sweden could be improved possibilities to remain in Sweden after completion of studies in order to seek employment. The opportunities for work and careers after study in the destination country can be viewed as an important pull-factor for students who wish to study abroad (Macready/Tucker 2011: 46, 50). In this context, another measure that could enhance Sweden's attractiveness could be to grant family members of international students access to the Swedish labour market. For the time being, dependants are not granted access to the labour market.

Essentially, there are at present three possible future scenarios for Sweden as a study destination:

1. The respective international profiles of higher education institutions, intensified marketing, improved admissions and permit procedures alongside well-functioning and enhanced exchange and scholarship programmes result in the number of international students starting to increase again after the decline in 2011; despite the tuition fees.
2. The number of international students continues to decrease, partly as only certain higher education institutions have sufficient resources to improve their profile and marketing abroad. There are not enough scholarship programmes that would compensate for the tuition fee burden, and it is in practice easier to obtain a residence permit card for destination countries other than Sweden due to different national regulations and practices.⁵⁹
3. The number of third-country students will stabilize at a lower level than at the end of 2010.

The Migration Board currently assumes that the third scenario will occur, at least on a medium-term scale. In an operations and costs prognosis published 3 May 2012, the Migration Board estimates that a total of 7,000 first-time residence permits for study purposes will be granted in 2012 and 8,000 per year for the period 2012 - 2016 (Migrationsverket 2012c: 20).

⁵⁹ The majority of Member States who grant residence permits appear to permit submission of biometric data after arrival. Sweden requires biometric data before arrival (see section 2.2).

Conclusions regarding cooperation and policy development within the EU

One conclusion ascertained in this study is that common European policy within the immigration field up until now has not influenced the Swedish regulations for visiting students from third-countries to any great extent – especially when the common framework for international students is compared to other areas such as visa or asylum policy where common EU legislation plays an inevitable and influential role. The implementation of the Students Directive 2004/114/EEC has only resulted in small adjustments in Swedish regulations and practices. There have, however, been consequences as a result of the adoption of Council Regulation (EC) No 380/2008, laying down a uniform format for residence permits for third-country nationals. This resulted in residence permit cards replacing the previous sticker used in foreign passports and also in third-country nationals from countries that are subject to visa obligations now being obliged to submit their biometric data at Swedish mission abroad in order to get a residence permit card. The way in which Sweden has applied the regulation appears to have resulted in making the practicalities of being issued with a residence permit card more difficult. The situation for third-country students who wish to come to Sweden could be simplified by issuing national D-visas (that do not require biometric data), instead of residence permits, or in the long run through establishing consular collaboration between the EU Member States in such a way that a residence permit for Sweden can be applied for at another country's mission abroad.⁶⁰

Also when it comes to the mobility of third-country students within the EU, a number of problems and difficulties currently remain. These in theory could be avoided through further harmonization of national regulations for student migration within the EU. As national rules differ and various requirements exist for residence permits, in practice it is often difficult for students who take part in Erasmus Mundus to study in several EU-Countries. In section 4.2, examples for different requirements with regard to national residence permits, such as means of support and language skills, were outlined. Currently, students with residence permits in one EU country may stay in another for a maximum of three months without having to apply for a residence permit. Discussions that have been initiated in organizations such as the Forum for Internationalization can be interpreted to mean that the mobility of third-country students could be simplified by either extending this period or making it easier for third-country students with residence permits in one country to also obtain a residence permit for another EU Member State.

Along the line there is a positive outlook in Sweden for European exchange programmes such as Erasmus, which since just a few years ago is not only available to students who are citizens of a participating country but also to third-country nationals studying in one of them, or Erasmus Mundus. These programmes have been run successfully for many years and have contributed to a great extent to the internationalization of higher education in Sweden and other EU countries, and created valuable international contacts among students and staff. From a Swedish perspective it would be positive if work within these programmes could continue, maybe even expand at the same time as the administrative costs for programmes decrease and flexibility increase. One central conclusion of this study could therefore be that Sweden, as a relatively small country with less consular missions and cultural representations abroad when compared to larger EU Member States, can profit from continued harmonization of national acts and ordinances pertaining to student migration within the EU.

⁶⁰ This would require changes to the current legislation in Sweden, as non-Swedish actors would be given the authority of collecting biometric data.

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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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