

# more

Motivations, experiences and consequences of returns and readmissions policy: revealing and developing effective alternatives



## *Executive Summary*

# Alternative policy approaches to RR: regularisation and other recognised statuses

## Case Study: **Sweden**

*Authors: Aida Ibricevic, Branka Likic-Brboric, Zoran Slavnic*

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This document provides a concise summary of the key findings from the MORE Project WP2 in Sweden. For detailed analysis, evidence, and comprehensive insights, please refer to the full report. The information in this summary should not be considered complete or fully representative of the entire study.

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# 1. Introduction

This report looks at Swedish legal and policy statuses as they pertain to rejected asylum seekers whose return decisions have impediments to return; the socio-economic rights associated with their return decisions being suspended and the socio-economic rights they gain once their status is regularized through the issuance of a 12-month residence permit; and the practice of “track changes” previously unique to Sweden as a promising alternative to expulsion.

# 2. Main findings

There is significant dissonance between how policies are formulated, implemented/interpreted by official authorities; and how they are viewed by researchers and activists-at both the policy-making and policy-implementing levels;

- In practice, irregular migrants/asylum seekers are often left in a legal limbo:
  - facing perpetual asylum-seeking processes (Section 2.4);
  - cannot be accepted by their home state unless their return is entirely voluntary (Section 2.9);
  - with the burden of proof placed on themselves, where they have to prove that they have done everything “within their control” to return to the home state, but failed (Section 2.9);
  - at the “mercy” of the Migration Agency and their estimate of the existence of impediments of return that are “beyond the migrant’s control” (Section 2.9);
  - relying on the goodwill of volunteer legal counsellors for any legal aid, while there is no state support for it (Section 2.13).
- There is an observable shift of responsibility for TCNs whose return decisions cannot be enforced from the national to the local, municipal level (Section 3.1).

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### 3. Recent policy developments

The current system in Sweden has been undergoing a considerable shift away from humanitarian/human rights concerns and legal certainty towards increasing effectiveness/efficiency since 2015/2016. In this context, effectiveness/efficiency refers to increasing the “number and percentage of refusals of entry and expulsions” (Malm Lindberg, 2020, p. 67) relative to issued return decisions.

- A major overhaul of nearly the entire migration and integration policy in Sweden is underway as a result of the Tidö agreement.
- Part of the paradigmatic shift envisioned by the Tidö agreement is a proposal to abolish the “track changes” option as a pathway towards regularization.

### 4. Alternative promising practices

Some hope can be found at the municipal level, but further research is needed to identify specific municipalities that could be implementing some alternatives to expulsions and the successes/challenges of such local efforts.

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