

THE NORDIC MIGRATION REGIMES IN CRISIS

THE END OF A EUROPEAN EXCEPTION?

SEPTEMBER 2024

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Global and European Challenges on Migration Policy Paper n°1 Synergies migrations / IC Migrations





A series of policy papers on the migration challenges in Europe and in the world

The Institut Convergences Migrations (IC Migrations) and Synergies migrations launch a series of policy papers that aim at analyzing the main European and global challenges related to immigration and refugee policies.

The policy papers offer an analysis of mobility flows, migration policies, legal frameworks or bilateral agreement that might have an impact – directly or indirectly – on the public debate and, that might be perceived as inspiring models for France and other countries. In doing so, the policy papers aims at contributing to debates on immigration and at providing keys to understanding to all stakeholders (policy makers, institutions, civil society, NGOs, private sector...).

This series of policy papers relies on the scientific research work carried out by IC Migrations fellows, a network of more than 750 researchers in France and beyond along with Synergies migrations' expertise.

Abstract

This report provides a comprehensive analysis of migration policies in the Nordic countries, focusing on the historical context and recent developments in asylum, residence, and citizenship regulations. The first section outlines the migration histories of the Nordic nations, setting the stage for an in-depth examination of contemporary policy changes in the second part. Focusing predominantly on Sweden due to its extensive experience as a destination for international immigrants and its reputation for egalitarian and multicultural policies, the report also provides comparative insights into Denmark and Finland. The cross-national comparison highlights the differences and similarities between the migration histories of the Nordic countries that currently converge in a trend towards welfare nationalism and a protectionist approach to border control and immigration. This transition calls into question the principles of humanitarianism, universalism, and multiculturalism as the corner stones of the Nordic migration regime. It raises the issue of the countries' engagement in a "race to the bottom" in terms of migration policy and, ultimately, of their commitment to the respect of human rights and to the protection of precarious lives.

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Introduction

The countries of the Nordic Region share similar cultures and traditions and are well known for their high level of development, their high living standards, respect for the rule of law and for equality, as well as their political and economic stability. At the European, and even global, level they are often looked upon as examples in terms of setting progressive, inclusive and egalitarian policy agendas whether in terms of family and education or migration policy.

In terms of migration, however, the countries are less homogeneous, with wide variations in their migration history and policies. While Sweden experienced increased work immigration already in the years following the second world war and has a long tradition of immigration and multiculturalism, Norway's, and Finland's importance as immigrant-receiving countries, only became apparent in the 1990s. Denmark mainly stands out for its restrictive stance and policies regarding migration. Nevertheless, the Nordic region is still perceived as a favorable destination by international migrants as well as a source of inspiration for European governments looking at reforming their migration policies.

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This is indeed the case in France, where the Nordic countries have been perceived as egalitarian, tolerant, and welcoming societies and have therefore been seen as models for progressive immigration policies by left-wing parties. However, with the rise of far-right and populist parties in the Nordic region and the so-called "U-turn" of the Social-Democrats on immigration, the Nordic countries are now used in the French domestic political debate by conservative parties to support more restrictive migration policies (Reynié, 2023). In their view, current tendencies in the Nordic Region stands as evidence that immigration is a burden to the national economy, a threat to social cohesion, and a strain on the welfare state.

However, few policy makers have a clear understanding of the different contexts in which migration policies are shaped in the Nordics.

This report offers an in-depth analysis of migration policy in the Nordic countries. The first part will provide a brief presentation of the Nordic countries' migration history, while the second part will provide an insight into recent developments of migration policies, with a particular focus on asylum, residence, and citizenship. The report focuses on the Swedish case, given the country's long history as a destination of international immigration and standing as a flagship example of an egalitarian and multiculturalist approach to population diversity. It does not, however, leave the other country cases entirely unaddressed but moves forward by drawing comparisons between Sweden, Denmark, and Finland. Thereby, it not only provides a broader insight into the Nordic region, but also highlights differences as well as overlaps, between the three countries. It will highlight the internal developments and tensions in the Nordic setting, which often appears as rather static and homogenous in the eyes of external observers, and assess what, if anything, can be learned from the Nordics in terms of building safe, just and diverse societies.

Divergent Migration Histories in the Nordic Region

This report develops a nuanced portrait of Sweden as an immigrant-receiving society characterized by a precarious cohabitation of egalitarian and multiculturalist tendencies with exclusionary and nationalist attitudes. A prime destination of international immigration since World War II, 15 per cent of Sweden's population of 10 million are currently foreign-born, a proportion slightly higher than that of France. Sweden passed its first immigration law, the Aliens Act, in 1927, a set of legal norms that remains a central guideline to the country's migration policies despite its successive adaptations to the changes of migration patterns and the political climate over the past century.

After an in-depth analysis of the Swedish case, this first part will close with an overview of other Nordic countries' migration policy history, in particular, Denmark and Finland. Overall, all Nordic countries share many similarities, including regarding their political systems, cultural beliefs, and welfare policies. They also share a reputation as peaceful nations bound to the rule of law, equality, and humanitarian principles. Regarding their migration policy, the countries have, however, followed historically different paths with a trend of convergence in the 2000s.

The Swedish Post-War Era: European Guest Workers within an Expanding Welfare State

Post-war Sweden was defined by an optimistic atmosphere of industry boom and economic expansion coupled with the development of a generous welfare state apparatus harnessed to produce social equality and harmony among the members of the "folkhem" (house of the people), the national community underpinned by a deeply culturalist understanding of citizenship (Norocel, 2016). Mirroring the experiences of Germany and France, the country's expanding industrial section faced a shortage of domestic work force and needed to look beyond the national borders for labor force, however, in the keeping of the 1927 Aliens Act intended to protect the native workforce from foreign competition for jobs and to control immigration in order to prevent "unfavorable mixing of peoples" (Skodo, 2018). Consequently, from 1947 onwards, migrants, mainly from Austria, Hungary, and Italy, moved to Sweden as temporary guest workers. With the formation of the Common Nordic Labor Market in 1954, and the abolition of border controls within the Nordics in 1957, Sweden additionally saw increasing

numbers of migrants from its neighboring countries in particular from the poor and agrarian Finland.

However, most of these migrants stayed in Sweden for a limited time, and after some years of work, returned to their home countries. With continuing economic expansion in the 1960s, Sweden started to expand its labor recruitment further South. In the years to come, increasing numbers of migrants from countries like Turkey, Yugoslavia, and Greece settled in the North. Thus, while in the 1950s the number of foreign born in Sweden was around 200,000, this number surpassed 500,000 by the early 1970s.

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In view of the high labor immigration levels and a slowdown in economic growth, the demand for labor began to decline in the late 1960s, and by 1967, the labor market was saturated. This prompted Sweden to introduce measures to regulate the immigration of (non-Nordic) workers as well as to form the Swedish Immigration Board in 1969 to work alongside various state agencies and municipalities on migration matters. The unexpected economic downturn of the early 1970s further aggravated the situation and led to a complete stop of immigration of workers from non-Nordic countries and rising unemployment rates in 1972 in echo of the French and German cases. These developments were exacerbated by the fact that, contrary to officials' expectations, many of the guest workers did not plan to return to their home countries but wanted to stay, become naturalized, and seek family reunification.

Post 1972: the Politics of Family and Humanitarian Immigration

In 1976, Sweden passed a new Aliens Act (Bill 1975/7618) which formed the basis of Sweden's migration policies for the following years. The Act not only included an open asylum and family-migration policy, but also the guarantee of equal social rights to foreigners on the basis of residency in Sweden as well as permanent rather than temporary residence permits to refugees. In the aftermath of the 1970's economic downturn, Sweden, like most Western European countries, provided increasing numbers of residence permits on the basis of family reunification claims. While these cases remained between 5,000 and 10,000 until the mid-1980s, they continued growing and reached around 20,000 per year in the 1990s

(Kupský, 2017). This tendency led the Social Democratic government of the time to introduce Bill 1996/97:25 which saw stricter regulations for family reunification outside the nuclear family and principally limited the immigration of family members to spouses, cohabiting partners, and children under the age of 18.

However, the restrictions were revoked with Bill 2005/06:72 in 2005 which was accepted by all parties in the parliament and transposed the Family Reunification Directive into Swedish law. The bill not only extended permanent residence permits to all family members, but also did not require the migrants to have housing, income, or social security before being eligible for family reunification (Emilsson, 2018). Yet, in 2010, the centerright government introduced Bill 2009/10:77 which included support requirements for family reunification with the aim to incentivize newly arrived migrants to obtain employment. It is important to mention though, that this new bill only applied to people residing in Sweden for less than four years without a refugee or subsidiary protection status, and thus, ultimately it affected a small number of migrants. As a result, the number of cases of family reunification, which had amounted to about 23,000 in 2005, continued to rise and more than doubled to over 48,000 by 2017.

In addition to migrants arriving to Sweden on the basis of family reunification, from the 1970s onwards, Sweden also witnessed a significant increase in the number of refugees. While a number of Hungarians, Czechoslovakians, and Greeks had previously sought asylum on political grounds, from the late 1970's onwards Sweden became a major destination for asylum seekers and resettled refugees from conflict zones across the globe. Chilean refugees fleeing Augusto Pinochet's regime started arriving and led to Sweden hosting the third largest Chilean community outside of Chile. Moreover, Sweden allowed 7,000 Iraqi and 27,000 Iranian refugees fleeing the Iran-Iraq war to enter the country in line with the Geneva Convention, and in the 1990s an increasing number of asylum seekers from former Yugoslavia, including over 100,000 Bosnians and 3,600 Kosovo Albanians entered the country.

The growing number of asylum seekers ignited a political debate regarding the country's asylum policies and led to a growing polarization of the political parties with the Green and the Left Party favoring more generous asylum policies whereas the other parties aimed for more restrictive policies. These debates amounted in the 1988 reform of the Aliens Act (Bill 1988/89:86) which aimed to decrease migration through visa policies limiting numbers of arrivals from certain countries and introduced measures to support return

migration, which was to become financially subsidized, as well as enhanced through the support of organizations working on the matter.

From the late 1970's onwards, Sweden became a major destination for asylum seekers and resettled refugees from conflict zones across the globe

After the arrival of 29,000 asylum seekers in the fall of 1989, the Social Democratic government, supported by the conservative Moderate Party and the Christian Democrats, introduced the Lucia Decision in December 1989. The reform limited the granting of asylum to those refugees meeting Geneva Convention criteria. The government and its allies believed that the asylum system was in crisis and feared that allowing for non-Convention refugees to enter the country would further encourage other refugees to seek asylum in Sweden. Although the Social Democratic government had introduced the Lucia Decision itself and without consulting the parliament, it reversed the controversial reform after winning the 1991 elections and forming a new government. Thereafter, in 1992, Sweden, like other countries across Europe, experienced a record number of more than 84,000 asylum seekers, amongst others from former Yugoslavia. Moreover, an anti-immigration party, New Democracy (Ny Demokrati), was elected to parliament for the first time in the 1991 elections, and the following years were increasingly defined by asylum policies focusing on the introduction of a temporary protection status, humanitarian, and development aid in countries of first asylum, and the developments of voluntary return schemes with financial support.

In 1995, Sweden joined the European Union which granted the citizens of all EU member states the same liberty of circulation that had previously been preserved to the citizens of other Nordic countries. Moreover, in 1998, Sweden introduced more expansive and liberal asylum policies. However, with a rising public concern over increased international immigration, the Social Democrats sought to implement measures to reduce the number of asylum seekers in Sweden in the early 2000s. As they failed to rally support for their proposals, open asylum policies focusing on equal rights, rather than on migration control, remained in place. The following years, dominated by a center-right government, saw little change and debate in regard to migration and asylum policies in Sweden. It was not until after the 2010 elections, which led to the Sweden Democrats becoming the first anti-

immigration party since 1991 to be elected to parliament, that the center-right alliance, with the Green Party's support, implemented new asylum-related measures. The new agreements (Bill 2013/14:216, Bill 2012/13:58; Bill 2012/13:109) saw the extension of humanitarian protection grounds for children as well as the extension of the rights for undocumented and irregular migrants, in particular granting them the same access to health care as regular migrants and asylum seekers (Emilsson, 2018). Furthermore, in an effort to promote employment, Sweden also granted all migrants, whether from the EU or third countries, legal access to the labor market.

Swedish Integration Policy: Combining Universalism with Multiculturalism

In response to post-war labor immigration, Sweden started to develop integration policies in the 1960s. The early policies were premised on the idea that, in the spirit of universal egalitarianism, migrants, like Swedish citizens, should be included in the Swedish welfare system, which is characterized by comprehensive, generous, and redistributive benefits and services (Esping-Andersen, 1990). Immigrants were hence provided with similar social rights as citizens which in practice included access to employment, housing, education, as well as social and health care. The precondition for this universalist approach was, however, the control of immigration inflows as well as immigrants' active employment according to the normative principle of work as the cornerstone of Nordic social citizenship (Kildal & Kuhnle, 2005).

With increasing numbers of immigrants whose cultural beliefs and practices were perceived as different from those of the native-born Swedes and immigrants from North and Central Europe, Sweden introduced its multiculturalist approach to integration through the 1975 bill on immigrant and minority policy, a pioneering measure at the European scale. The key idea of the "Swedish model" was a combination of principles of universal welfare with multiculturalist measures with a focus on promoting "equality, freedom of choice, and partnership" (Government Bill 1975:26). Concretely, the 1970's integration policies continued granting immigrants the same social rights as citizens and introduced a set of measures to support the newcomers' ethnic identity formation, most notably financial support to ethnic organizations and the introduction of (minority) mother tongue instruction in public schools. Moreover, involvement in political processes was increased through the entitlement of participation in regional elections of all groups, and efforts were taken to facilitate the naturalization process for immigrants. Through these rather radical multiculturalist measures,

Sweden committed itself to the idea that cooperation between minority organizations and public authorities along with the "institutional absorption of ethnic difference" (Borevi, 2012) would be more successful than control and coercion with regard to immigrants' integration into Swedish society.

The key idea of the "Swedish model" was a combination of principles of universal welfare with multiculturalist measures

Although Sweden's multiculturalist integration policies have stood the test of time better than those of some other European countries, like the Netherlands (Etzinger, 2014), they have been subject to "downscaling" from the 1980's onwards. Following the work of two government-appointed investigations to minority-supportive integration policies, Sweden revised its policies in the 1980's. Sweden shifted from encouraging minority collective identities to protecting individual rights. Moreover, it changed the label of "immigrant and minority policy" to "immigrant policy" only as it changes its implementation from centralized state agencies to the municipal level. The concern here was that active, public support of ethnic minority formation would obstruct individual integration into Swedish society and, in a sense, undermine public investment in immigrant integration (Borevi, 2014). In terms of integration policies, the 1990's were hence characterized by the individualization of services, now focused on fostering immigrants' access to local services and, increasingly, on the attainment of language and professional skills.

The 2000s: Rebooting Labor Immigration in the Neoliberal Age

Starting in the 2000s, criticism in regard to immigration grew, and it was argued that reforms were needed in order to meet changed circumstances in Swedish society and the labor market. Despite generous welfare policies, the unemployment rates among foreigners living in Sweden remained higher than those of native-born Swedes and concerns were raised by the high levels of ethnic segregation within Swedish cities and schools. Similarly to France, Sweden too sought to elicit work-based immigration, rather than that motivated by family or humanitarian reasons. In 2006, the Swedish government introduced new legal categories which differentiated between temporary and permanent labor immigration, for which different regulations would apply. It was argued that permanent immigration of workers was more useful for solving and overcoming structural workforce problems, while

temporary migrant workers could be used for temporary deficits, and therefore should be tied to a particular employer and occupation for two years. Two years later, Swedish employers were granted more responsibility over the practice of labor migration policy as they were allowed to decide who to hire, regardless of the employee's nationality or qualifications, as long as they fulfilled the employer's requirements and official regulations were met concerning minimum pay and insurance coverage. Officials hoped to encourage hiring of foreign workers which would help to fill gaps in specific skills and fields by adopting a more open and demand-based immigration. Moreover, it was hoped that a demand-driven immigration would support better integration as immigrants would be connected to a workplace from the outset.

Concretely, these reforms led to a major increase of labor immigration, notably in the IT and service provision sectors from non-EU countries, above all from Thailand, India, and China (Skodo, 2018). Thus, in 2018, around 850,000 of the foreigners living in Sweden were born in Europe, while around one million originated from non-European countries.

The 2000's reforms of labor migration policy go hand in hand with integration policy reforms. In 2010, the Swedish government introduced the "activation reform" in an effort to foster all able-bodied adult immigrants to gainful employment. While the reform, and the "individual integration plans" it introduced, first targeted individuals arriving to Sweden with no links to a specific employer, it was later generalized to pertain to the entire non actively employed immigrant population. The individual plans essentially contractualized the public authorities' and immigrants' respective responsibilities for integration: the authorities committed to providing social benefits and services, language and professional training to immigrants who actively engage in preserving and improving their "employability" (Dahlstedt & Neergard, 2016). These policies hence echoed two broader neoliberal trends. First, they resonated with the shift towards workfare measures observed in Europe since the 1990s by strengthening active labor market participation as a principle of integration and largely restricting welfare benefits in an attempt to reduce the burden immigrants are thought to present for the social welfare system. Second, they were in line with the broader move in the Nordic countries from universal to individualized social rights, thus eroding the principle of egalitarian universalism.

The Aftermath of the 2015 "Migration Crisis"

The 2014-2015 "migration crisis" marks an important turning point in Swedish migration policy. While Sweden has accepted increasing numbers of asylum seekers as well as refugees through official resettlement

programs since 2012, in 2015, Sweden experienced the highest per capita inflow of asylum seekers ever recorded in an OECD country, as well as the highest number of asylum seekers globally. Thus, Sweden received almost 160,000 asylum applications or 12 per cent of all applications in the EU that year, six times more than the EU per capita average and more than twice as many as France which while comprising a total population seven times largen than Sweden only received about 70,000 or 6 per cent (Eurostat, 2016). Taking a close look at these generally high numbers reveals that Sweden also received the highest number of unaccompanied minor asylum applications within the EU: 35,300 individuals which corresponds to 40 per cent of the EU-total (Garvik & Valenta, 2021). Of those arriving in Sweden, about one third fled the war-torn Syria, while about one fourth were Afghan refugees, with asylum seekers from Iraq standing as the third largest group.

In response to the large number of arrivals in Sweden, the government commissioned the Swedish Civil Contingencies Agency (MSB) which coordinates national and local crisis responses, to provide them with assistance, as well as temporary housing units and tents. However, as the inflow continued throughout the year, the government, like most across the EU, saw the need for tighter measures, including stricter asylum and border policies, in order to cope with the situation as well as to decrease the appeal of the country (Tanner, 2016). Thus, the refugee crisis led to drastic shifts in immigration law and policy, and over the years, anti-immigrant far-right rhetoric, which associates asylum seekers with national-security threats, terrorism, and crime, has increased and been adopted by a broad range of officials and parties.

Denmark: The Roots of Danish Welfare Chauvinism

Denmark, an early urbanizer among the Nordic societies, has over its history experienced various inflows of immigration, even though these were, until the 1960s, mainly from other Nordic and Western European countries. Like Sweden, with the industrial boom during the 1960s, Danish labor force too proved to be insufficient to meet labor demand, and thus, Denmark allowed for the arrival of foreign workers, which mainly arrived from Turkey, Pakistan, and Yugoslavia. In the early 1970's, with the first oil crisis, Denmark's economy experienced sudden downturn. Due to fears of high unemployment rates, as well as dropping wages and high needs for social assistance, the country introduced an immediate stop for labor immigration and followed other Western European countries in the path of transition to family and humanitarian immigration. Throughout the following decades, Denmark received large numbers of refugees from the Middle East and the Global South, including amongst others from Vietnam, Chile, and Somalia.

This development led to the adoption of the country's first Immigration Act in 1983, which was one of the most liberal in the world in terms of legal status of asylum seekers. It defined clearer legal rights to refugees and provided de facto refugees, not falling within the Geneva Convention of 1951, with the right to asylum and the right to family reunification (Kapitsyn et al., 2022).

The following years saw a significant increase in international immigration to Denmark, resulting in currently around 10 per cent of the country's 5.8 million total population being foreign-born. Whilst Sweden has historically organized active state support and recognition of immigrants' distinct cultural, linguistic, and religious traditions, Denmark has adopted more assimilationist integration policies. Although the two countries have developed rather similar welfare systems in the post-war period, they are underpinned by vastly different approaches to managing diversity: the Swedish approach privileges recognition of difference and search of consensus while the Danish one considers a high level of cultural homogeneity as a key ingredient of social cohesion (Hedetoft 2013). As a case in point, while Sweden drafted its minority-supportive policies in the 1970s, the Danish parliament was already keen on unemployment benefits and resident permits for immigrants, conditional on language requirements (Borevi, 2014). Since the 1980's, Denmark has indeed introduced a series of limitations to the initially liberal immigration act in an atmosphere of political polarization and the politicization of the subject of immigration and integration. These demands received increasing attention and support, not solely among civil society, but also among other political parties that progressively came to endorse the "welfare nationalist" agenda of limiting full access to the welfare state to Danish nationals (Keskinen et al., 2016).

Denmark is currently one of the European countries that has gone the furthest in implementing restrictive immigration and integration policies

These anti-immigrant attitudes gained importance during electoral campaigns throughout the 2000's, and the 2015 general elections were focused on a single main concern: the maintenance of the welfare system in the face of international immigration and the subsequent diversification of the Danish population. Denmark is indeed currently one of the European countries that has gone the furthest in implementing restrictive immigration

and integration policies. For example, to obtain permanent residence status in Denmark, new arrivals must participate in a mandatory introduction program, pass a language test, and stay in Denmark for a total of at least five years. As regards naturalization to Danish citizenship, applicants must not have received social benefits for more than six months in the preceding five years, and they must pass a language test and a test on Danish culture and history.

Finland: From Emigration to Immigration in the 1990s

In comparison to Sweden and Denmark, Finland has a short history as a country of immigration. In fact, Finland was a country of emigration up until the 1970's, with Sweden figuring among the most prominent destinations of emigrating Finns. Until the 1990s, the largest group of immigrants (about 85 per cent) remained return migrants and their families, meaning Finnish nationals who had previously moved abroad, mainly to Sweden, but also to North America (Korkisaari & Söderling, 2003). While a small number of refugees from Chile and Vietnam arrived in Finland in the 1970's and 1980's, it was only a decade later that international immigration towards the country significantly took off with increasing numbers of migrants and asylum seekers, notably from other European countries as well as unstable zones such as the former Soviet Union, Somalia, and Iraq. The largest group of immigrants arriving in Finland however, remained people with Finnish roots, such as descendants of Ingrian Finns that had moved to present-day Russia during the 17th century. Other reasons for immigration were family ties, seeking asylum as well as labor migration, and currently roughly 5 per cent of Finland's 5.5 million inhabitants are foreign-born.

The increasing numbers of immigrants led to the creation of the legal act on immigration integration and reception of asylum seekers in 1999. This led to the gradual institutionalization of Finnish integration policies that had previously been rather pragmatic and ad hoc in their orientation, mirroring the Swedish approach that stressed the importance of the newcomers' inclusion to the overall welfare system. In addition to their focus on enhancing immigrants' access to social rights, the Finnish policies also looked at the multiculturalist Sweden, as well as the Netherlands, for inspiration with regard to managing diversity. In sum, the principles of equality, in terms of rights and workforce participation, and the right to the preservation of one's own culture and language have functioned as the cornerstones of the Finnish tradition of immigrant integration (Bäckman, 2020). Similar to Sweden, Finland also reinforced active labor market policies as a means of integration through the 2010 integration law. This law has been considered as a shift towards neoliberal immigration

policies that makes individual immigrants, rather than the host society's authorities and institutions, responsible for the integration process in both its economic and cultural dimension (Rajas, 2012).

The Finnish policies looked at the multiculturalist Sweden, as well as the Netherlands, for inspiration with regard to managing diversity

In the 2000s, while factual numbers have remained steady, immigration has emerged as a contentious issue, politicized in a welfare chauvinist rhetoric that views immigrants as a burden to the welfare system (Pyrhönen & Wahlbeck, 2018). This rhetoric has been fueled in particular, but not exclusively, by the national- populist Finns party (*Perussuomalaiset*), which entered the right-wing conservative coalition government in 2015 after its greatest yet electoral success. In the same year, Finland received around 32,000 asylum applications, an unprecedented number in the country. The peak in new arrivals led to great concern about the ability of the Finnish welfare system to meet the needs of asylum seekers, as well as the labor markets' ability to absorb the newly arrived workforce, as Finland was struggling with high unemployment rates of almost 10 per cent.

Even though compared to other countries, Finland received fewer asylum seekers in 2015 and had lower rates of foreign-born people in general, concerns on integration, coupled with fears of the impact of refugees on the welfare and economic system, and the rather little experience with large-scale influx of migrants, led to a shift to more restrictive immigration policies. These included border controls, stricter regulations for family reunification, as well as a critical stance on the Common European Asylum System.

After 2015: Towards Convergences of Nordic Migration Regimes

At the beginning of the "migration crisis" of 2015, Sweden originally maintained its welcoming policies and adapted a humanitarian approach. However, as the high influx persisted, the country was faced with issues relating to the provision of housing, handling capacities, access to social services and education, as well as inclusion in the labor market, shortcomings of the introduction programs, and generally, an enormous increase in costs. These issues not only led to an increasingly immigrant-critical media coverage, but also to a changing public discourse and attitude whereby the public became more and more critical and fears of criminality as well as concerns of the success of integration became widespread. The resulting social tensions, as well as the rise of anti-immigrant sentiments, created a dilemma for the government between handling an international humanitarian crisis and protecting national cohesion and its national welfare system (Hagelund, 2020).

In the fall of 2015, the Social Democrats' and the Green Party's coalition government decided that existing immigration measures were insufficient and thus, gave in to public concerns, and introduced a range of new policy proposals, similar to those viewed in other Nordic countries. These measures, which were intended to be of temporary nature, went against long-standing Swedish beliefs and principles, and can be described as path breaking. They were also the start of a longer-term redirection of Swedish politics with an intent to reduce the attractivity of the country as a destination for asylum seekers, largely attributed to its liberal migration policy. These developments were not singular to Sweden, however, but rather, could be observed all around the Nordic states, where the numbers of supporters of anti-immigrant parties, such as the Finns Party and the Danish People's Party increased substantially, and asylum policies became more restrictive all around. Thus, all three countries under study here, increased border controls, adjusted their immigration policies towards the minimum standards, and started promoting voluntary repatriation, as well as decreased assistance for those arriving in the country (Tanner, 2016). However, there are some variations between the countries, and even though they pursued the same goals, they followed different paths and means and used different legitimization.

Asylum and Residence: From Permanent to Temporary and Conditional Protection

In July 2016, the new Temporary Asylum and Reunification Law came into force in Sweden with the aim to be in place for three years, but the general agreement to keep it in force until the EU asylum system has undergone satisfactorily reform. The new law broke with Swedish tradition of granting secure and predictable residence to immigrants and refugees. It saw the granting of temporary instead of permanent residence permits for most applicants and introduced the differentiation between four types of protection status which, once granted asylum, all gained the right to work: convention refugees, which should be granted a three-year temporary permit instead of permanent status, but with the right to family reunification; subsidiary protection refugees, which were to receive 13 months of residence permit which could be extended for another two years if protection grounds remained; persons otherwise in need of protection for example due to impediment to enforcement, which are to be granted temporary residence permits; and people affected by particularly distressing circumstances which may be granted a residence permit based on an overall assessment of their health, adaption to Sweden and the situation in their country of origin. In addition, the conditions for permanent residence were tightened and tied to financial independence, a precondition that also became a requirement for family reunification, which was further limited to immediate family members of recognized refugees and a tighter timeframe.

With the new regulations, Sweden disengaged from its previous principles of permanency and universalism and moved into the direction of temporary and conditional protection. Immigration and residence permits were tied to "integration achievements", such as economic autonomy, which created legal hierarchies between different groups of immigrants and their abilities and contributed to asymmetrical social relations among those residing in Sweden (Bendixsen & Näre, 2024). The new law meant that the residential rights of immigrants and refugees were dependent on their "ability to integrate" and succeed in the labor market. Thus, the new law increased the pressure on immigrants and asylum seekers to assimilate into Swedish society and culture and find work. It also fostered their dependence on the market and employers to secure residence for themselves and/or their families which went against the principle of "decommodification" that had traditionally underpinned the Nordic welfare regime.

Simultaneously, the new regulations led to a stricter assessment of the protection needs of refugees and saw restrictions to asylum seekers' access to social and economic benefits, with free housing and daily allowances

being cut for "failed" asylum seekers and those who received expulsion orders or ignored their deadline for voluntary return (Skodo, 2018). The new provisions, did, however, not affect resettled refugees, whose situation remained less politicized compared to asylum seekers, and continued being received by Sweden.

Sweden disengaged from its previous principles of permanency and universalism and moved into the direction of temporary and conditional protection

In 2017 and 2018, additional measures to increase the number of returns were implemented. On the one hand, new regulations aimed at the harmonization of cooperation between the Swedish Migration Agency, responsible for voluntary return, and the police authorities, responsible for forced return, were established in order to achieve clearer responsibilities. On the other hand, Sweden joined the European Return and Reintegration Network which aimed to strengthen, facilitate, and streamline the return process in the EU through common initiatives, and to promote durable and efficient reintegration in non-EU countries by offering a wide range of services for returnees (Garvik & Valenta, 2021). The program operated in around 40 countries and by mid-2021, had assisted over 24,500 returning migrants in their countries of origin with support for housing, medical treatment, vocational training, educational needs, or setting up businesses. Moreover, Sweden continued prioritizing the integration of newly arrived migrants, and thus, made introduction programs, including education and training, an obligation to those who were perceived as lacking sufficient knowledge and skills to obtain work.

Overall, throughout the years, Swedish political authorities grew increasingly critical of immigration and the impact of immigrants on their society and welfare system, and it was decided to aim for a reduction of the rate of immigration by an average of 6.34 per cent per year for the period 2019 to 2022. The new Red-Green government prolonged the temporary law for a two-year period in 2018 with the only change being that family reunification would also be granted to non-convention refugees. In 2021, the law was effectively replaced with permanent amendments to the Aliens Act, which cemented a shift away from Sweden's liberal stance towards migration. The amended Aliens Act stipulated that all new residence permits, except those of resettled refugees, were to be temporary. The

requirements for obtaining permanent residence status were further tightened by conditioning them on economic self-sufficiency, adequate housing, and three years of residence. Self-sufficiency requirements were also introduced for family reunification, in which case, the applicant residing in Sweden must prove to be able to support not only themselves but also their family applying for residence permits, as well as to have a home sufficient in size and standard to accommodate everyone.

Sweden's changed approach to asylum and residence policy is by no means singular

Sweden's changed approach to asylum and residence policy is by no means singular. Denmark for example introduced a stricter asylum policy, both externally, by focusing on the deportation of rejected asylum seekers. tightening border controls, and conducting information campaigns in immigrants' home countries to discourage immigration, and internally, by increasing the requirements for those seeking protection, shortening the duration of residence permits, and introducing stricter requirements and restrictions on the right to work. Moreover, the new policies in Denmark established three kinds of protection status, which grant differing residence permits. Convention status which may grant residence for up to two years at a time; protected status which may grant residence for one year, with a possible extension of maximum two years at a time afterwards; and temporary protected status which may grant a maximum of one year of residence with possible extension for a maximum of two years at a time after three years of residing in Denmark (Garvik & Valenta, 2021). The new regulations in Denmark are furthermore generally based on the expectations that refugees should support themselves and thus, allow authorities to confiscate asylum seekers' valuables exceeding 1,340 euros and considered without sentimental value.

This is in line with Finnish approaches which are aimed not only at tightening regulations, but also reducing expenditures related to immigration. Finland's current right-wing government, formed in the summer of 2023, has introduced proposals for an amendment to its immigration law which would limit asylum seekers' access to state protection as well as undocumented migrant's access to healthcare, limit the number of annual quota refugees to just 500, and shorten the duration of permits to the minimum EU standard of three years for those granted asylum and one year, for those with subsidiary protection status, with an assessment of the need for continued

protection in cases of extension. Moreover, Finland intends to prohibit changes to the grounds for regularization, which would prohibit asylum seekers who found work to change their application to a work-based permit. The government has also proposed to increase the minimum stay within Finland to six years in order to be eligible for permanent residence and, like Sweden, combine temporal requirements with integration requirements, such as a language test. At the same time, however, those with higher incomes or higher levels of education are generally to be privileged in Finnish permit processes and those earning more than 4,000 euros per month, are generally eligible to fast-tracked processes due to their economic independence. Those with an income exceeding 40,000 a year would be eligible to apply for permanent residency after four years already if the other requirements are met. However, should a person staying on a residence permit based on work be unemployed for a period of three months, the new proposals suggest that such cases should be subject to deportation, thereby emphasizing a new Finnish approach based on economic performance in exchange for residence.

Citizenship: Towards Greater Conditionality

In the past, Sweden adopted a multicultural approach to citizenship policies and the process of citizenship acquisition was an administrative procedure more than a moral endeavor as in many other Western European countries, including France. Citizenship was not necessarily understood in terms of nationhood and societal membership, but rather pragmatically, without the requirements of civic and language skills. However, the country has progressively parted with this approach and adopted stricter regulations. There are two different paths to gain Swedish citizenship, by application and by notification. Citizenship by application applies to those aged 18 years and older and the requirements include having lived a law-abiding life, thus the applicant cannot have debts or committed (serious) crimes in Sweden, or a certain amount of time must have passed since, and the applicant must have a permanent residence permit, the right of residence or a residence card. Citizenship by notification applies to underage children and in contrast to citizenship by application does not require having lived a law-abiding life, and moreover only requires having lived in Sweden for three years, or two if the child is stateless. As in other sectors related to immigration, the new Swedish government is planning a reform of the process to obtain citizenship and to introduce stricter regulations. These will be outlined in more detail at the end of the paper where the plans of the new government, and in particular the Tidö Agreement will be discussed.

In comparison to Denmark and Finland, Sweden still has rather liberal regulations for the obtainment of citizenship, but with the planned regulations, Sweden will move closer to those of Denmark, which are known to be some of the strictest requirements in the world.

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Throughout the past years, Denmark has continuously pushed forward tougher requirements for naturalization, even more so since 2015, when the government announced a more restrictive turn in immigration and integration policies. In 2015, the Danish government decided to further raise the bar on language and civic tests as well as increase the required duration of employment. To acquire Danish citizenship by naturalization, applicants must prove their economic self-sufficiency, which also means that they cannot have received any sort of financial aid, such as cash assistance, educational, rehabilitation, integration or out of work benefits, for the past two years, and for no longer than a total of four months over the past five years. Moreover, applicants must have been employed in ordinary full-time or self-employment for at least three and a half years within the past four years. Regarding residence, applicants must have been continuously residing in Denmark for nine years. If there were interruptions to residence, including regular travels abroad, this might negatively affect one's eligibility for citizenship. In addition, applicants must prove both, Danish language skills, as well as knowledge of Denmark, including Danish society, culture, and history, and cannot have committed crimes in Denmark. If a person has committed criminal offenses, they might be temporarily or permanently excluded from Danish citizenship, or their citizenship could be revoked. Lastly, in order to gain Danish citizenship, the applicant has to declare allegiance and loyalty to Denmark and Danish society, as well as compliance with Danish law, including the constitution, respect for fundamental Danish values and legal principles, such as democracy.

Finland is currently, like Sweden, undergoing major changes in its immigration and integration policies due to a change in government. However, at the moment, the requirements for obtaining citizenship remain relatively liberal and require an applicant to have lived in Finland for four years based on any residence permit and additional two years on a permanent residence permit, as well as satisfactory Finnish or Swedish

language skills. Moreover, the applicant must not have committed any serious crimes or been issued a restraining order and must have met their payment obligations such as taxes and fines, as well as prove reliable means of support for the future. The proposals made by the new four party right-wing coalition government in 2023, on the other hand, see a complete reform of the Nationality Act with tightened laws for obtaining citizenship to be introduced through three legislative projects within the next two years. These changes include altering the required time of residence from five to eight years, as well as increasing the income requirements and probity, and introducing tougher language tests and a citizenship test to prove general knowledge of the society, its rules, Finnish history, and the political system. Moreover, the government intends to introduce the option to revoke one's citizenship in cases where the person commits a serious crime or where citizenship has been obtained by fraud.

With the restrictive regulations already in place in Denmark, and those planned in Finland and Sweden, the three countries show their shared belief, that one needs to work hard to be rewarded with a Danish, Finnish, or Swedish passport. While officials of the countries argue that these tightened conditions, especially language and citizenship tests and the requirement for economic independence, would encourage integration, this has been highly debated. Thus, research has shown that naturalization itself may actually prove more successful for integration, as it creates a sense of belonging and allows active participation (Govind, 2021). Naturalization reduces informality and discrimination, as well as vulnerability of people, and should hence be considered as beneficial for integration. Therefore, the line of argumentation, that the stricter requirements for citizenship would benefit applicants themselves is highly questionable. It may rather be the case, that governments pursue restrictive policies in order to further lower the number of immigrants and asylum seekers and to have greater influence on who gets to remain within their borders long-term.

The Tidö Agreement: The New Horizon of Swedish Migration Policy

The Tidö Agreement is a political coalition government agreement that was established after the 2022 elections by the right-wing bloc parties Sweden Democrats, Moderate Party, Christian Democrats and Liberals, in order to form a government under Ulf Kristersson of the Moderate Party as Prime Minister. The Agreement is not a legal document but rather outlines the new government's intentions and presents their planned reforms in six major areas: healthcare, energy, criminality, education, economy, and migration. The agreement is generally defined by vigorous law enforcement and

growing austerity, as well as a paradigm shift for Sweden's migration policy (Wehtje, 2022). Knowing that the coalition's electoral success was largely due to shifting public opinions, in large part related to the perception of the previous government's asylum policies as failed, the current government made the reform of Sweden's immigration policy a priority from the outset.

The new government's stated overall goal was to "regain better control of migration" through stricter rules and regulations, including a decrease in the number of migrants, the promotion of repatriation, tightened citizenship requirements, as well as eliminating the parallel "shadow society", a term that in contemporary political parlance refers to Swedish society's urban, social, and racial margins.

To attain these objectives, the coalition government plans comprehensive changes to downscale Sweden's asylum policy, in practice, by aligning it with the minimum legal standards required by the EU and international conventions. This regards the number of resettled quota refugees, with Sweden planning to lower the number from previously more than 5,000 to just under 900 per year, as well as the rights granted to asylum seekers, including the right to an interpreter, legal assistance, and access to aid, and the duration of protection granted to refugees, which is to become temporary. In addition, the government plans to accommodate all asylum seekers in transit centers and prohibit them from arranging their own accommodation elsewhere, thereby limiting their personal freedom and selfdetermination. The reforms will also include a full review of the list of safe countries for return, with the aim of including those with some safe regions and thereby allowing for greater numbers of return and repatriation. The government argues that the envisioned measures will enhance the quality, consistency, and legal security of the asylum process and at the same time make Sweden a less desirable destination for international migrants and asylum seekers.

In regard to residence, the new government envisions a phasing out of permanent residence permits and wants to only grant temporary ones in the future. Furthermore, it wants to limit the cases whereby residence is granted on the basis of exceptionally distressing circumstances in order to lower the number of issued residence permits.

Concerning citizenship, the agreement states the aim to adopt additional conditions and tighten already existing requirements to become a Swedish citizen that would need to be earned through economic performance and cultural assimilation, rather than be "automatically" acquired over time. More concretely, the new government aims to raise requirements of language proficiency and introduce a civic knowledge test. Additionally, one

suggestion is to increase the required salary to the Swedish median level of 30,000 SEK (around 2,640 euros) and further tighten the requirements through the proof of an "honest lifestyle", meaning the absence of a criminal record within the EU with the concrete terms still needing to be defined. Moreover, one could only apply for Swedish citizenship after eight years, in contrast to the current four or five. Lastly, the government also envisions the requirement to declare loyalty to Sweden during an official ceremony and is investigating whether it would be possible to include the option to revoke citizenship in certain cases. The coalition government justifies these tightened restrictions by emphasizing their benefits for the integration of immigrants, as well as with the need to have more uniform regulations across Europe. These envisioned reforms would transform Sweden from one of the countries with the most liberal citizenship regulations to one with strictest regulations in Europe.

Conclusion

Throughout the past decades, the EU has taken numerous steps to coordinate and converge immigration, asylum and integration policies and achieve a common minimum standard across its member states. However, some European countries, including Denmark, are exempt from these regulations. Denmark has in fact adopted a more restrictive and ethnonational approach to asylum and immigration policies for several years already, while Sweden for a long time held onto a more liberal attitude based on cultural diversity and the guarantee of equal rights. With the main aim to support social inclusion and an open migration and integration policy based on equal rights for all, Sweden has been rather singular at the European level. The country has generally had very transparent migration regulations, and before 2015, not only resisted the tendency for more restrictive policies which could be observed in many other countries across Europe, but also maintained asylum and family-migration policies exceeding the EU minimum standards by large. Thus, Sweden provided permanent residence permits to all those granted international protection and equal socioeconomic rights as well as temporary residence to those with subsidiary protection status. Sweden has also had generous family reunification policies and provided an open path to full citizenship. In addition, the provision of benefits and rights in Sweden was not conditional to integration achievements, such as language competency, country knowledge or economic self-sufficiency (Arora-Jonsson & Larsson, 2021). Therefore, it was often considered the country with the most liberal migration policies across Europe.

In this sense, Denmark and Sweden used to be placed at opposite ends in regard to their approach to immigration policies and integration. Finland, on the other hand, used to be somewhere in between, especially prior to the refugee crisis. This is partly due to the fact that for Finland, immigration has played a rather minor role in its history, while immigration and related discourse has been important in Sweden and Denmark for a longer time period already. Since the migration crisis in 2015, however, the policies in Denmark and Finland have become more aligned as both of them shifted to more restrictive policies in regard to asylum, residence, and citizenship. While Denmark, has pursued overall restrictive and basic human rights defying migration policies in the 2000, Finland is best qualified by a trend of dualization of its policies that maintain a fairly high level of protection to European immigrants and quota refugees all the while introducing

measures that increase race-based inequality, informality, and vulnerability to exploitation in the labor market and, perhaps most alarmingly, within the welfare system itself (Krivonos & Maury, 2023).

For a while, Sweden remained its inclusive approach and the country with the least restrictive policies. It did not put any integration requirements in place in order to acquire permanent residence and continued to provide comparatively expansive social rights to all its residents. However, with high levels of race and class-based segregation of cities and schools, with reportedly high levels of discrimination in the labor market, Sweden's "integration model" has been called into question. On the one hand, these developments have led to a sense of frustration among immigrants and their offspring faced with a lack of opportunities and recognition, conducive to distrust towards state institutions. On the other hand, the perceived "lack of integration" and formation of a social cohesion menacing "shadow societies" in Sweden's urban margins has been subject to political recuperation by right-wing political parties, the Sweden Democrats in particular. To overcome such pernicious issues as segregation, the Swedish government introduced the Tidö agreement in 2018. It remains yet to be seen whether this ten-year plan, reflecting the broader European tendencies of neoliberal welfare reforms and racialization of citizenship, acts as a corrective move to inequalities and insecurities or whether it will be counterproductive in these terms.

Indeed, the Tidö Agreement constitutes a paradigm shift in Swedish migration policies, and a further shift away from its once liberal migration approach. Moreover, the new regulations run the risk of increasing classand race-based segregation through growing income inequality and persisting discrimination. It is also questionable, whether these tighter regulations will, as the government predicts, benefit immigrants' integration or whether they will rather lead to increasing levels of legal and social insecurity. For asylum seekers and immigrants, Sweden's new approach, as well as current policies in its neighboring countries, means being trapped in a state of temporariness defined by uncertain and precarious future perspectives. The envisioned regulations tighten the options for political and social participation, erode work conditions and labor relations, undermine the legitimacy of foreigners' residence in the country, and enforce deportations and "voluntary" returns.

Essentially, with the Tidö Agreement, Sweden, like its neighboring countries, shift further to the right, both in terms of undermining universal social protection and non-exploitative work as principles of citizenship along with tolerance to difference and active protection of minorities. What can be

viewed as the end of a gradual expansion of rights in the 20th century – from workers to women and racial and sexual minorities – appears as shadowed by a national-conservative backlash. In the Nordics, like elsewhere in Europe, political parties currently digress from their liberal approach focused on social protection, human rights, development, and multiculturalism, towards a protectionist approach concerned with strict control external borders coupled with ethnoracial stratification of national economy and society. Instead of being based on humanitarian principles and ideals of equality, the Nordic countries' most recent migration policy reforms planned and implemented - are dominated by deeply individualist and welfare nationalist conceptions of citizenship as well as of utilitarian and securitarian approaches to international immigration. This is a drastic detour from Sweden's approach that emerged in the 1960s and dominated Sweden's immigration policies for the following decades. It leads to a reconceptualization of the meaning of protection and universalism in the Nordic context and questions the widespread image of the Nordics as progressive forerunners.

Annexes

Sweden's Political Parties

Sweden Democrats, Right-Wing to Far-Right: Anti-immigration, rightwing populist party, supports stronger restrictions on immigration and higher numbers of expulsion, aims for assimilation measures to Swedish culture and to counteract parallel societies

Christian Democrats, Centre-Right to Right-Wing: Strongly opposed to multiculturalism, support of restrictive immigration and refugee policies, aim for a limit of the number of total migration, main path of immigration should be through the refugee quota system

Moderate Party, Centre-Right: aims for a reduction in immigration, supports border controls and tougher regulations, including temporary residence permits, stricter requirements for family reunification and cuts in welfare benefits, emphasizes importance of integration

The Liberal Party, Centre-Right: aims for more restrictive policies and easier withdrawal of citizenship for immigrants, focuses on counteracting parallel societies, emphasizes importance of Swedish norms and rules and timely self-sufficiency of immigrants

The Centre Party, Center to Center-Right: aims to protect right to asylum and family reunification, focus should be on quota refugees, focus should be on right to protection rather than timely access to all welfare benefits, advocates for stronger responsibility sharing between EU member states

Social Democratic Workers' Party, Centre-Left: supports the right to asylum, wants to adapt policies similar to those of other EU countries, emphasizes importance of responsibility sharing across the EU and within Sweden, aims to counteract segregation

The Green Party, Centre-Left: supports open and humane migration policies and the right to family reunification, aims to strengthen the right to asylum and assistance to refugees, as well as legal certainty in asylum processes and an extension of the introduction programs

The Left Party, Left-Wing: aims to shift the political focus from crime and immigration onto social and economic issues, emphasizes importance of right to asylum and family reunification, as well as equality, permanent residency, and solidarity through the inclusion in the welfare system

Government Formation in Sweden

- **2022 current**: Moderate Party, Christian Democrats, Liberal Party (Minority Government that relies on confidence from the Sweden Democrats)
- **2021 2022:** Social Democratic Workers' Party (Confidence of Centre Party, Left Party and Green Party)
- 2019 2021: Social Democratic Workers' Party & Green Party
- 2014 2018: Social Democratic Workers' Party, Green Party
- **2006 2014:** Moderate Party, Liberal Party, Centre Party, Christian Democrats
- 1994 2006: Social Democratic Workers' Party
- 1991 1994: Moderate party, Liberal Party, Christian Democrats
- 1982 1991: Social Democratic Workers' Party
- 1981 1982: Centre Party Liberal Party
- **1979 1981:** Centre Party, Moderate Party, Liberal Party
- **1978 1979:** Liberal Party
- 1976 1978: Centre Party, Moderate Party, Liberal Party
- 1957 1969: Social Democratic Workers' Party
- **1951 1957:** Social Democratic Workers' Party & Agrarian Party
- **1946 1951:** Social Democratic Workers' Party

Main Policy Changes in Sweden

- 1927 First immigration law: the Aliens Act
- **1976 Bill 1975/76:18**: open asylum and family-migration policy, guaranteed equal rights to foreigners, provided permanent residency to refugees
- **1989 Bill 1988/89:86**: visa policies to limit numbers of arrivals from certain countries, introduced measures to support return migration through financial subsidies and support of organizations working on the matter
- **1997 Bill 1996/97:25**: stricter regulations for family reunification
- **2006 Bill 2005/06:716 and Bill 2005/06:72**: revoked Bill 1996/97:25; transposed Family Reunification Directive into Swedish law

- **2010 Bill2009/10:77**: introduced support requirements for family reunification
- 2014 Bill 2012/13:58, Bill 2012/13:09 and Bill 2013/14:216: extension of humanitarian protection grounds for children, extension of rights for undocumented and irregular migrants
- **2021 SOU 2020:54, RS/071/2021 and Prop.2020/21:191**: permanent amendments to the Aliens Act, shift away from liberal migration policies, introduction of temporary residency (except for resettled refugees), requirement of self-sufficiency and adequate housing for permanent residency and family reunification; new guidelines regarding immediately enforceable returns, including the concept of safe countries of origin
- **2022 Bill 2021/22:284 and Bill 2021/22:224**: increased maintenance requirement for work permits, stricter regulations on deportations due to committed crimes (increase in cases that allow for deportation)
- **2023 Bill 2023/24:18**: amendments to the Aliens Act, stricter conditions for family member immigration, limited possibilities for residence permits on humanitarian grounds

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How to cite this publication: Sabeth Kessler and Linda Haapajärvi, "The Nordic Migration Regimes in Crises: The End of a European Exception?" *Synergies migrations and I'lC Migrations Policy Papers*, n° 1, September 2024.