

UNHCR Observations on the “Final report of the inquiry on language and social studies requirements for Swedish citizenship and other citizenship issues”

[SOU 2021:54 – Slutbetänkande av utredningen om språk- och samhällskunskapskrav för svenskt medborgarskap och andra frågor om medborgarskap]

I. Introduction

1. The United Nations High Commissioner for Refugees (UNHCR) Representation for the Nordic and Baltic Countries (RNB) is grateful to the Government of Sweden for the invitation to provide observations to the “Final report of the Inquiry on language and social studies requirements for Swedish citizenship and other citizenship issues” (Slutbetänkande av utredningen om språk- och samhällskunskapskrav för svenskt medborgarskap och andra frågor om medborgarskap) - hereafter the “Proposal”.¹
2. UNHCR offers the observations in its capacity as the Agency entrusted by the UN General Assembly with a global mandate to provide protection to stateless persons worldwide and for preventing and reducing statelessness.² The General Assembly has specifically requested UNHCR “to provide technical and advisory services pertaining to the preparation and implementation of nationality legislation to interested States”.³ UNHCR thus has a direct interest in national legislation impacting on the prevention and reduction of statelessness and protection of stateless persons, including the implementation of the safeguards contained in international human rights treaties and the two statelessness conventions.⁴ It has also entrusted UNHCR with the specific role foreseen in Article 11⁵ of the 1961 Convention on the Reduction of Statelessness (1961 Convention).⁶

¹ The full report of the Inquiry on Nationality is available at: [Ändrade regler i medborgarskapslagen, SOU 2021:54 \(regeringen.se\)](https://www.refworld.org/docid/3b00f31d24.html)

² UN General Assembly, Office of the United Nations High Commissioner for Refugees: resolution / adopted by the General Assembly, 9 February 1996, A/RES/50/152, available at: <http://www.unhcr.org/refworld/docid/3b00f31d24.html>. Reiterated in subsequent resolutions, inter alia, UN General Assembly Resolution A/RES/61/137 of 25 January 2007, available at: <https://www.refworld.org/docid/45fa902d2.html>, UN General Assembly Resolution A/RES/62/124 of 24 January 2008, available at: <https://www.refworld.org/docid/47b2fa642.html> and UN General Assembly Resolution A/RES/63/148 of 27 January 2009, available at: <https://www.refworld.org/docid/52fb51bb4.html>.

³ UN General Assembly Resolution A/RES/50/152, para. 15.

⁴ UNHCR ExCom in its Conclusion on Identification, Prevention and Reduction of Statelessness and Protection of Stateless Persons No. 106 (LVII), 6 October 2006, paras. (i) and (j). See, UNHCR, Conclusions on International Protection Adopted by the Executive Committee of the UNHCR Programme 1975 – 2017 (Conclusion No. 1 – 114), October 2017, HCR/IP/3/Eng/REV. 2017, available at: <https://www.refworld.org/docid/5a2ead6b4.html>.

⁵ Article 11 of the 1961 Convention provides for the creation of a “body to which a person claiming the benefit of this Convention may apply for the examination of his claim and for assistance in presenting it to the appropriate authority.”

⁶ UN General Assembly, Convention on the Reduction of Statelessness, 30 August 1961, United Nations, Treaty Series, vol. 989, available at: <http://www.refworld.org/docid/3ae6b39620.html>, p. 175.

3. UNHCR’s supervisory responsibility is exercised in part by the issuance of interpretative guidelines on the meaning of provisions and terms contained in international instruments concerning statelessness, in particular the 1954 Convention, relating to the Status of Stateless Persons (1954 Convention)⁷ and the 1961 Convention. Such guidelines are included, among others, in the UNHCR Handbook on Protection of Stateless Persons (UNHCR Handbook)⁸ and the Guidelines on Statelessness No. 4: Ensuring Every Child's Right to Acquire a Nationality through Articles 1-4 of the 1961 Convention on the Reduction of Statelessness.⁹

II. General Observations

4. At the outset, UNHCR would like to express its gratitude for Sweden’s significant efforts to address statelessness over the past decades. Sweden is a strong supporter and partner to UNHCR in the global strive to end statelessness. In recent years, Sweden has demonstrated its support and commitment by joining the Core Group of Friends of the Global Campaign to eradicate statelessness by 2024 (the #IBelong Campaign 2014 – 2024) and was also an important contributor to the 2019 High-Level Segment on Statelessness with several pledges. In this respect, UNHCR particularly appreciates the withdrawal of Sweden of two reservations to the 1954 Convention and the establishment of the Government-led Inquiry on nationality, tasked to investigate whether further measures are required to reduce statelessness in Sweden.
5. UNHCR welcomes, as expressed in the Proposal, that the starting point in Swedish law is to avoid statelessness, in particular in the period between the birth of a (stateless) child and the time of acquisition of citizenship through notification. UNHCR, however, regrets the conclusion of the Proposal that a system of automatic acquisition should not be introduced in Sweden. In UNHCR’s view, automatic acquisition would be the best and safest way of avoiding childhood statelessness in Sweden.¹⁰ The Proposal nevertheless sets out how an automatic system could be regulated “in order to provide the best possible basis for a decision on whether to introduce such a system”.
6. UNHCR also welcomes the easing of the some of the requirements related to the acquisition of nationality by notification. This includes proposed provisions to ensure that the residence requirement will apply equally to all stateless persons up to 21 years, if residing in Sweden for the past five years or during a total of ten years. UNHCR also appreciates that a stateless child who is resident in Sweden after the age of 15 will be able to acquire citizenship following notification, even if his or her custodial guardian has not contributed to the acquisition of citizenship.

⁷ UN General Assembly, Convention Relating to the Status of Stateless Persons, 28 September 1954, United Nations, Treaty Series, vol. 360, available at: <http://www.refworld.org/docid/3ae6b3840.html>, p. 117.

⁸ UNHCR, Handbook on Protection of Stateless Persons, 30 June 2014, available at: <https://www.refworld.org/docid/53b676aa4.html>.

⁹ UNHCR, Guidelines on Statelessness No. 4: Ensuring Every Child's Right to Acquire a Nationality through Articles 1-4 of the 1961 Convention on the Reduction of Statelessness, 21 December 2012, HCR/GS/12/04, available at: <https://www.refworld.org/docid/50d460c72.html>.

¹⁰ Proposal, Section 4.4.1, p. 82.

7. In 2016, UNHCR undertook a comprehensive mapping of statelessness in Sweden.¹¹ While recognizing the more limited scope of the Proposal, UNHCR would like to take the opportunity to flag to the Government outstanding matters that are not addressed in the Proposal and that would need to be looked at, including:
- a. The introduction of a common definition of “stateless person” in Sweden in accordance with the 1954 Convention;
 - b. The establishment of a statelessness determination procedure coupled with common guidelines to prevent the application of different criteria for determining whether a person is stateless and not to prolong the “unknown nationality” status;
 - c. The granting of a formal status for those stateless persons who are unable to return to their country of previous habitual residence.¹²

These issues are connected to the Proposal as if they remain unresolved, they will contribute to continued statelessness. A prolonged period of unknown nationality has a negative impact on the access to citizenship and related rights, as further explained below.

8. While the Proposal also addresses a number of other nationality-related matters, UNHCR’s observations focus on those parts that directly concern statelessness. In the following sections, UNHCR will highlight specific observations on select elements of the Proposal, divided into two main parts:
- a. automatic acquisition of nationality at birth;
 - b. acquisition of nationality through notification.

III. Specific Observations

a. Automatic acquisition of nationality at birth

9. The Proposal recommends that Sweden should not adopt a system whereby children born stateless in the country would acquire nationality automatically at birth, instead of through the current simplified notification process. According to the Proposal, the reasons for not recommending such a system are the high costs involved and that many children born stateless anyway over time acquire citizenship in Sweden.¹³ UNHCR regrets the conclusion of the Proposal not to recommend provisions for automatic acquisition at birth as this would have been the preferred option to secure that children are not left stateless for an extended period of time.
10. While the 1961 Convention provides for the granting of nationality either automatically at birth, by operation of law, or by way of an application procedure, the

¹¹ UNHCR, Mapping Statelessness in Sweden, December 2016, available at: <https://www.refworld.org/docid/58526c577.html>.

¹² UNHCR recommendations to Sweden on strengthening refugee protection in Sweden, Europe and globally, 22 June 2020, available at: <https://www.unhcr.org/neu/38663-unhcr-recommendations-to-sweden-on-strengthening-refugee-protection-in-sweden-europe-and-globally.html>.

¹³ The Proposal, Section 4.4.4., pp. 97-98.

UN Convention on the Rights of the Child (CRC) provides important tools for the interpretation of obligations under international instruments in relation to every child's right to a nationality. UNHCR recalls that the rules for prevention of statelessness among children contained in Articles 1 to 4 of the 1961 Convention must be interpreted in light of later human rights treaties, which recognize every child's right to acquire a nationality, in particular where they would otherwise be stateless. Article 7 of the CRC provides that

“States Parties shall ensure the implementation of these rights [rights to a name, nationality, and to know and be cared for by parents] in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.”

Article 3 of the CRC further requires that all actions concerning children, including in the area of nationality, must be undertaken with the best interests of the child as a primary consideration. The right of every child to acquire a nationality and the principle of the best interests of the child together create a presumption that States need to provide for the acquisition at birth or as soon as possible after birth, ideally by automatic acquisition of nationality at birth by a child otherwise born stateless in their territory, in accordance with Article 1(1)(a) of the 1961 Convention.

11. UNHCR has on numerous occasions stated that it is in the best interests of the child to acquire a nationality at or very soon after birth - if the child would otherwise be stateless. Automatic acquisition would also be consistent with UNHCR's Guidelines on Statelessness No. 4¹⁴ and the Global Action Plan to End Statelessness.¹⁵ Both documents recommend that States automatically grant their nationality to children born on their territory who would otherwise be stateless, as constituting the best way to prevent childhood statelessness in such situations, rather than providing for an application process.

12. As for the cost-related concerns, UNHCR recalls the findings of the CRC Committee:

“in terms of budgets, ‘implementing children’s rights’ means that States parties *are obliged to mobilize, allocate and spend public resources in a manner that adheres to their obligations of implementation* [...], this includes equipping all levels and structures of the executive, legislature and judiciary with the resources and information required to advance the rights of all children in a comprehensive and sustainable manner.”¹⁶ [emphasis added]

¹⁴ UNHCR Guidelines on Statelessness No. 4: Ensuring Every Child's Right to Acquire a Nationality through Articles 1-4 of the 1961 Convention on the Reduction of Statelessness, 21 December 2012, HCR/GS/12/04, available at <http://www.refworld.org/docid/50d460c72.html>, para. 11 (UNHCR Guidelines on Statelessness No. 4).

¹⁵ UNHCR, Global Action Plan to End Statelessness, 4 November 2014, Action 2, available at: <https://www.refworld.org/docid/545b47d64.html>, p. 13.

¹⁶ UN Committee on the Rights of the Child, General comment No. 19 (2016) on public budgeting for the realization of children's rights (art. 4), available at <https://undocs.org/en/CRC/C/GC/19>, para. 27.

The requirement that the child should have at least one parent with a permanent residence permit in the event that a system of automatic acquisition is introduced

13. While the Proposal does not recommend the introduction of automatic acquisition, it nevertheless sets out what such an application system may look like.¹⁷ According to the Proposal, the requirement that the child has at least one parent with a permanent residence is to ensure that Swedish citizenship is granted to children who are immigrants in Sweden and whose parents intend for the child to grow up in Sweden.
14. While Article 1 of the 1961 Convention permits the introduction of certain conditions for the acquisition of citizenship through an application procedure, such criteria are not permissible when it comes to automatic acquisition. As noted in the “Mapping Statelessness in Sweden”, it inconsistent with the 1961 Convention to impose a requirement that the parent(s) of the otherwise stateless child should hold a permanent residence permit in order for the child to be granted Swedish citizenship.¹⁸
15. The European Convention on Nationality (ECN)¹⁹ also does not establish any requirements regarding the automatic acquisition of nationality at birth, apart from requiring that the child born on its territory does “not acquire at birth another nationality”. The UN Human Rights Committee in interpreting Article 24 of the International Covenant on Civil and Political Rights (ICCPR),²⁰ has recalled that State parties have to “ensure that all stateless children born in its territory, irrespective of residency status, have access to citizenship without any conditions”,²¹ citing conclusions of the CRC Committee.²²

b. Acquisition of nationality through notification

The requirement of permanent residence

16. The current Citizenship Act requires that the child has permanent residence in Sweden in order to be eligible for the acquisition of nationality through notification. In July 2021, the relevant provisions were amended so that the requirement of permanent residency no longer is applicable if the child has resided in Sweden for the last five years or 10 years cumulatively. As UNHCR understands, the requirement of permanent residency will, however, remain for some categories of applicants. In view of the stricter requirements for obtaining permanent residency according to recent

¹⁷ Proposal, Section 4.4.2, p. 85.

¹⁸ UNHCR, Mapping Statelessness in Sweden, p. 59; UNHCR, Guidelines on Statelessness, No. 4, p. 9.

¹⁹ Council of Europe, European Convention on Nationality, 6 November 1997, ETS 166, available at: <https://www.refworld.org/docid/3ae6b36618.html>.

²⁰ UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, available at: <https://www.refworld.org/docid/3ae6b3aa0.html>, p. 171.

²¹ Views adopted by the Human Rights Committee, concerning communication No 2918/2016, 19 October 2020, para. 8.5, available at <https://undocs.org/CCPR/C/130/D/2918/2016>.

²² UN Committee on the Rights of the Child, Concluding observations on the fourth periodic report of the Netherlands, 8 June 2015, CRC/C/NDL/CO/4, available at: <https://www.refworld.org/docid/566fc5a04.html>, para. 33.

changes to the Swedish Aliens Act, UNHCR sees a risk that the two laws combined could lead to extended periods of unresolved statelessness for affected individuals.

17. In UNHCR's view, the requirement of *permanent* residency in order to be eligible to apply for Swedish nationality is inconsistent with the 1961 Convention and other relevant human rights treaties as the ECN, the ICCPR or the CRC. The 1961 Convention does not permit States parties to impose any requirements in relation to *the parent(s)* of the otherwise stateless child born within its territory. Article 1(2)(b) allows a State to require that "*a person concerned* has habitually resided in the territory of the Contracting State for such period as may be fixed by that State, not exceeding five years immediately preceding the lodging of the application nor ten years in all". Moreover, Article 1(2)(b) of the 1961 Convention requires mere "habitual residence", which in this context must be understood as stable, factual residence. Hence, in line with UNHCR guidance, the 1961 Convention does not permit State parties to make an application for the acquisition of nationality by individuals who would otherwise be stateless conditional upon *lawful* residence.²³
18. The ratification of the ECN does not relieve Sweden of its obligations under the 1961 Convention. This is also clarified by the ECN in its Article 26(1) which prohibits State parties from applying the ECN in a way that would prejudice the application of provisions of other binding international instruments which are already in force or may come into force "under which more favourable rights are or would be accorded to individuals in the field of nationality." Consequently, the ECN may not be applied for the purposes of interpreting the requirement of habitual residence in the 1961 Convention, and when State obligations under Article 7 of the CRC are involved.

The requirement of "honest lifestyle"

19. According to the Proposal, Swedish nationality will only be granted through notification if a stateless person in the ages of 15–21 years is not: a) reasonably suspected or convicted of serious crime;²⁴ b) considered to constitute a threat to Sweden's security or the public security, or c) has been active in, or had a controlling influence in an organization or group whose activities have included acts of aggression or systematic, extensive and gross abuses of other people. While the Proposal states that these requirements should not apply to stateless persons born in Sweden, they should apply to applicants in the ages of 15–21 years (born outside Sweden) since Article 1 of the 1961 Convention does not cover stateless persons who were not born in Sweden.²⁵
20. UNHCR is concerned about the impact of this Proposal for stateless children not born in the country who have reached the age of 15 without having acquired a nationality. While contracting States are competent in determining who their nationals are, that discretion is circumscribed by the general principle of avoidance of statelessness,

²³ UNHCR, Guidelines on Statelessness No. 4, para. 41, p. 9.

²⁴ According to the report a serious crime refers to those offences which carry a minimum of 4 years imprisonment as the maximum penalty on the penal scale (Section 7.4.1 of the report), foreign crime (Section 7.4.2) and repeated crime (Section 7.4.3).

²⁵ Proposal, Sections 7.7.2 and 7.8.

prevention of childhood statelessness and every child's right to acquire a nationality as prescribed in relevant international instruments in this field, in particular where the child would otherwise be left stateless.

21. General obligations with regards to the naturalization of stateless persons are contained in Article 32 of the 1954 Convention, to which Sweden is a State party:

“the Contracting States shall as far as possible facilitate the assimilation and naturalization of stateless persons. They shall, in particular, make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings”.

The word “shall” in this Article implies a qualified duty on the State parties to facilitate “as far as possible” the naturalization of stateless persons, without prejudice to sovereign rights of the State. While there is no definition of the term “facilitation” referred to in Article 32, in the text of the Explanatory Report to the ECN, the term has to be understood as ensuring favorable conditions for the acquisition of nationality to each of the categories of persons listed in the sub-paragraphs of Article 6(4) of the ECN, which includes stateless persons.²⁶ As also noted in the Explanatory Report, the obligation to avoid statelessness has become part of customary international law.²⁷

22. Furthermore, the obligation to facilitate naturalization in the case of stateless children has to be interpreted in accordance with Article 7 of the CRC, which enshrines the right of every child to have a nationality, together with the principle of the best interests of the child contained in Article 3 of the CRC. The concept of the child's best interests is aimed at ensuring the full and effective enjoyment of all the rights recognized in the Convention and the holistic development of the child.²⁸ Hence, if a legal provision is open to more than one interpretation, the interpretation which most effectively serves the child's best interests should be chosen.²⁹ The obligations imposed on States by the CRC are not only directed to the State of birth of a child, but to countries with which a child has a relevant link, such as through residence.³⁰ Accordingly, the best interests of the child, especially if he or she is in a situation of special vulnerability such as statelessness, can only be achieved by access to the nationality of the country where he or she habitually resides as soon as possible.
23. UNHCR concludes that it is neither reasonable nor proportionate for stateless children over the age of 15 not born in the country, or who could not acquire nationality during their childhood, to have to meet the same stringent requirements as adults or children who already have a nationality. This may entail prolonged consequences for stateless

²⁶ Council of Europe: Explanatory Report to the European Convention on Nationality, Strasbourg, 6 November 1997, available at: <https://rm.coe.int/16800ccde7>, para. 52.

²⁷ CoE, Explanatory Report to the ECN, para. 3.

²⁸ UN Committee on the Rights of the Child, General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (Art. 3, para. 1), 29 May 2013, CRC/C/GC/14, available at: <https://www.refworld.org/docid/51a84b5e4.html>, para. 4.

²⁹ Ibid, paras. 6(b), 14(a).

³⁰ UNHCR Guidelines on Statelessness No. 4, para 11.

children and adults in the ages of 15–21 years who may be left in legal limbo³¹ without any prospects of improving their possibility to acquire Swedish nationality.³²

The moment of meeting the requirements

24. According to the Proposal, the examination of the acquisition of Swedish nationality would be based on the circumstances at the moment of the decision instead of, as currently, at the time of submission of the application.
25. UNHCR considers that the Proposal on this point is not in line with Article 1(1) of the 1961 Convention. The use of the mandatory “shall” (“Such nationality shall be granted...”), indicates that a State party must grant its nationality to otherwise stateless children born in their territory where the conditions set forth in Article 1(2) and incorporated in their application procedure are met. The exhaustive nature of the list of possible requirements means that States cannot establish conditions for the grant of nationality additional to those stipulated in the Convention.³³ This entails that the decision granting nationality arise as a mandatory obligation for the State since the requirements are met, and the application is submitted.
26. Further, Article 7 of the CRC provides that “States Parties shall ensure the implementation of these rights” including the right to nationality. An international treaty also needs to be interpreted in light of its object and purpose,³⁴ and thus in the most appropriate manner in order to realise the aim and achieve the object of the treaty,³⁵ - which in the case of the 1961 Convention is to prevent statelessness. In

³¹ The UN Committee on the Rights of the Child, in General Comment No. 24 (2019) on Children's Rights in child justice system, 18 September 2019, available at: <https://undocs.org/CRC/C/GC/24>, para. 71 recommends that States parties introduce rules permitting the removal of children’s criminal records when they reach the age of 18, automatically or, in exceptional cases, following independent review.

³² The recommendations of the Committee of Ministers of the Council of Europe (Recommendation CM/Rec(2009)13) to member states on the nationality of children do not refer any other condition, with a view to reducing statelessness of children, facilitating their access to a nationality and ensuring their right to a nationality, than the residence in the territory of the State in the case of children to apply for their nationality, available at: <https://www.refworld.org/docid/4b83a76d2.html>, para. 5.

³³ UNHCR, Interpreting the 1961 Statelessness Convention and Preventing Statelessness among Children: (“Dakar Conclusions”), September 2011, available at: <https://www.refworld.org/docid/4e8423a72.html>, para. 26.

³⁴ The teleological interpretation of international treaties underlies in 31(1) of the Vienna Convention on the Law of Treaties, 23 May 1969, United Nations, Treaty Series, vol. 1155, p. 331, available at: <https://www.refworld.org/docid/3ae6b3a10.html>.

³⁵ *Wemhoff v. Germany*, no. 2122/64, §8, p. 19, Council of Europe: European Court of Human Rights, 27 June 1968, available at <https://hudoc.echr.coe.int/app/conversion/docx/pdf?library=ECHR&id=001-57595&filename=CASE%20OF%20WEMHOFF%20v.%20GERMANY.pdf>. See also *Soering v. The United Kingdom*, 1/1989/161/217, Council of Europe: European Court of Human Rights, 7 July 1989, available at: <https://www.refworld.org/cases,ECHR,3ae6b6fec.html> “In interpreting the Convention regard must be had to its special character as a treaty for the collective enforcement of human rights and fundamental freedoms (see the *Ireland v. the United Kingdom* judgment of 18 January 1978, Series A no. 25, p. 90, § 239). Thus, the object and purpose of the Convention as an instrument for the protection of individual human beings require that its provisions be interpreted and applied so as to make its safeguards practical and effective (see, inter alia, the *Artico* judgment of 13 May 1980, Series A no. 37, p. 16, § 33). In addition, any interpretation of the rights and freedoms guaranteed has to be consistent with “the general spirit of the Convention, an instrument designed to maintain and promote the ideals and values of a democratic society”.”

27. UNHCR's view, the relevant circumstances to consider are therefore either those present at the time of the application or at the time of the decision, whatever is more favourable for the child's acquisition of nationality. In UNHCR's view, it would also be inconsistent with the principle of the best interests of the child to introduce further obstacles causing children to remain stateless for a longer duration.

IV. Concluding remarks

28. Based on the above, UNHCR invites Sweden to consider potential amendments to the Proposal in order to:

- a) Align the Swedish Citizenship Act with the standards of the 1954 and the 1961 Conventions and the CRC, so that children born stateless in Sweden will acquire citizenship automatically, or as soon as possible after birth, regardless of their residence status, with no other requirement than the child being otherwise stateless;
- b) Replace the requirement of permanent residence with that of "habitual residence" as set out in Article 1(2)(b) of the 1961 Convention;
- c) Adjust the evidentiary requirements for the identity of stateless persons with the criteria and recommendations set out in UNHCR's Handbook on Protection of Stateless Persons. Therefore, sharing the burden of proof, in that both the applicant and examiner must cooperate to obtain evidence and to establish the facts, where limited or no documentary evidence regarding an individual's personal circumstances is presented, however, additional weight will be given to an applicant's written and/or oral testimony, available country information and any results of additional enquiries with relevant States. Children identified as having "unknown" nationality needs to have their nationality status determined as soon as possible;
- d) Base the examination of the acquisition of Swedish nationality on the circumstances either of the time of the application or of the decision, whatever is more favorable for the child's acquisition of nationality;
- e) In the case of acquisition of nationality by notification under Section 7 and 8 of the Nationality Act, where the applicant is a stateless person, not born in the country, between the age of 15 and 21, to harmonize the requirements concerning "honest lifestyle" with those established for stateless children born in the country in identical circumstances, in accordance with the CRC, the spirit of the 1961 Convention and the customary principle of international law to avoid statelessness;
- f) In line with previous recommendations reflected in the UNHCR "Mapping of Statelessness in Sweden" and the "UNHCR recommendations to Sweden on strengthening refugee protection in Sweden, Europe and globally", introduce a

definition of a stateless person in Swedish law and establish a statelessness determination procedure including the granting of a formal status for those stateless persons who are unable to return to their country of previous habitual residence.

UNHCR Representation for the Nordic and Baltic Countries

4 November 2021



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4 November 2021

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RE: UNHCR Observations to the “Final report of the inquiry on language and social studies requirements for Swedish citizenship and other citizenship issues” [SOU 2021:54 – Slutbetänkande av utredningen om språk- och samhällskunskapskrav för svenskt medborgarskap och andra frågor om medborgarskap

Dear Sir/Madam,

The UNHCR Representation to the Nordic and Baltic Countries is pleased to submit to the Ministry of Justice of Sweden its observations on the Final report of the inquiry on language and social studies requirements for Swedish citizenship and other citizenship issues

UNHCR appreciates the constructive dialogue with the Swedish Government, and we thank you for your considerations of this important matter. We remain at your disposal for any clarification required.

Yours sincerely,



Henrik M. Nørdentoft
Representative