

Summary

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Foreign guest students in Sweden – the joint processes of admission and student residence permits

The aims of the audit

In recent years around 300 000 applications have been received by Swedish institutions of higher education (HEIs) , of which almost 95 000 were from applicants from countries outside the EU/EEA area. During the academic year 2007/2008, around 13 000 guest students from third countries were registered at Swedish HEI's.

A report from the Swedish Migration Board (SMB) in 2005 indicated that up to every fourth person granted a student residence permit may have gone to Sweden or another country within the Schengen area for other purposes than to study. The risk of a student residence permit being used for wrong purposes had been pointed out by the police, HEI's and Swedish embassies. However, no public authority had any clear knowledge about to what extent student residence permits were used for other purposes than for studies. This prompted the Swedish National Audit Office (SNAO) to make an audit with the aim of investigating risks involved in the procedures of admitting guest students from third countries and making assessments for student residence permits. The aim was also to propose measures that to be taken by the Government and by the public authorities concerned.

In the audit, statistics from the Swedish Agency for Higher Education Services (SAHES), the Swedish Migration Board (SMB) and Statistics Sweden (SS) were analysed. The empirical basis for the audit was also document studies, interviews with representatives of the authorities concerned including ten Swedish embassies and a survey of 30 HEIs. The audit also made an international comparison of procedures for handling and issuing student residence permits.

Conclusions of the SNAO

A cross-sector problem with unclear responsibilities

Admission to university studies and assessment for student residence permits are two processes involving several public authorities. Currently, the two processes are separated from each other and cooperation and exchange of information is very limited. A clearer direction with mandates to the public authorities processes would be beneficial. The Swedish Government has initiated a forum for cooperation on issues of internationalisation in higher education. This forum is a step on the way towards cooperation between the public authorities involved, but it is not sufficient for maintaining efficiency and the rule of law.

Unclear responsibility for follow-up

No public authority involved has been given the mandate to follow up or to check that student residence permits are used for the purpose intended.

Since 2007, it has been possible for the Swedish Migration Board (SMB) to revoke a student residence permit. Information indicating that a residence permit has been granted on incorrect grounds can be passed on to the SMB, but procedures for such an exchange of information have not been established between the SMB and other public authorities involved. Nor has the SMB developed procedures connecting with the police in the event of suspected misuse of student residence permits.

In total, shortcomings in the statistics and the lack of responsibility for follow-up and control means that the SNAO doubts if the formal possibility of revoking student residence permits has had the effect the legislator intended.

The applicable regulatory framework within higher education is not adapted to guest students from third countries

In order for admission to university education to be effected within a reasonable time period it would be practical to set an earlier application deadline for guest students from third countries. It is unclear whether the current regulatory framework allows this.

Furthermore, requirements of study performance in order to be granted a renewed student residence permit is set very low. This means that a foreign student with the lowest permitted study performance in order to get a permit renewed in normal cases will not be eligible for going on to study a continuation course.

Swedish embassies encounter several difficulties

The Swedish embassies assist the SMB in cases relating to student residence permits. During the last few years, the foreign public authorities and the SMB have had to handle an increasing number of applications. Personnel at the embassies find it time-consuming to assess the authenticity of documents and to assess whether the applicant is intending to study. They suspect that in some cases admission to studies has been granted on incorrect grounds with the aid of falsified documents or false identities. In these cases there is uncertainty of what measures to be taken by the embassy.

The embassies state that lack of resources, unclear handbooks and difficulties to plan the administration mean that both the verification of bank documents and interviews with applicants cannot be prioritised.

The public authorities involved do not have sufficient register information

Currently, neither the SMB, nor the foreign public authorities or the police have access to the information about admitted and registered guest students that exists in the databases NyA and Ladok. Access to information about registered students would give the SMB increased opportunities for following up whether a residence permit is used for the purpose intended. The embassies' work would be facilitated by direct access to applicant and admission information from NyA.

Introduction of application and tuition fees will not solve all problems

The Government has announced a proposal for application and tuition fees for guest students from third countries. However, the SNAO assesses that even after the introduction of fees, some problems relating to cooperation, control and follow-up found in this audit would remain. The risk that residence permits may be used incorrectly will remain.

The SNAO's recommendations

On the basis of the findings and conclusions of the audit, the SNAO makes the following recommendations to the Government and the public authorities concerned.

The SNAO recommends that the Government carries out a joint review of the processes and regulatory frameworks for the systems for admission to higher education and assessment of student residence permits. This review should include the following:

- Clarify what public authority should be responsible for following up, investigating and controlling that student residence permits are used for the purpose intended.
- Check the prerequisites for the efficient implementation of the regulation governing revoking student resident permits.
- Assess the needs of the public authorities involved for information from NyA and Ladok in order to develop and make more efficient the process for student residence permits and facilitating control.
- Review the public statistics so that it can be used as the basis for follow-up.
- Assess the extent to which guest students from third countries can be allocated a special admission period, to give the time to assess the authenticity of qualification documents and assessment of residence permit.

The SNAO also recommends the Government to do the following:

- Mandate the Swedish Migration Board (SMB) to investigate and make proposals for methods for assessing if the maintenance requirement set for residence permits is fulfilled.
- Mandate the SMB, the Swedish Agency for Higher Education Services (SAHES) and the Swedish National Agency for Higher Education (SNAHE) together with the HEIs and the embassies to develop formats for cooperation.

The SNAO recommends the Swedish Migration Board to do the following:

- Develop the cooperation with HEIs in question on issues relating to guest students from third countries.
- Draw up procedures in the event of suspected misuse of student residence permits together with the police.

- Clarify the wording in the handbook for embassies relating to the control of applicant identity and study intentions, the authenticity of documents and whether the requirement for maintenance is fulfilled.
- Consider country-specific instructions to foreign public authorities in order to facilitate the verification work.

The SNAO recommends the HEIs to do the following:

- Develop the cooperation with the SMB and embassies regarding the verification of identity and qualifications in the admissions process.
- Draw up procedures for handling suspected misuse of student residence permits together with the SMB.