

## PASSING THE BUCK

### *The case of failing multilevel governance and vulnerable EU migrants in Sweden*

#### Abstract

Sweden represents an intriguing paradox regarding EU migrant integration. Its welfare state institutions are highly developed; its integration policies have a solid record. Still, a substantial proportion of EU migrants are facing poor working conditions, unemployment and homelessness. This article highlights the ongoing difficulties, both for EU migrants to Sweden, as well as for a broad range of Swedish public actors seeking to devise governance solutions in a frequently ad hoc manner. We argue that while EU migrant integration is a policy challenge reflecting a multilevel setting, there is little evidence that multilevel governance has emerged thus. Rather, actors at all levels seek instead to shift the responsibilities associated with EU migrant integration to other levels, maintaining that EU migrant integration is beyond their competencies and resource levels. The analysis draws upon public documents and interviews with the key national and local stakeholders.

#### Keywords

EU mobility • Vulnerable EU migrants • Multilevel governance • Sweden • Stockholm • Gothenburg

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## Introduction

This article highlights some of the policymaking challenges emanating from a multilevel governance setting, that is, a setting where several governance levels are involved. While studies show that intra EU migrants as a group have in fact had little or no negative effects on the public budget (Ruist 2013) and that many are well-established in the labour market or in circular migration (Gerdes and Wadensjö 2008), many EU migrants in Sweden have not experienced a trouble-free relocation (Zelano et al 2016). Locating employment or finding adequate housing; accessing available social services – which require engaging with the Swedish bureaucracy – all seem to be concrete stumbling blocks for the vulnerable intra EU migrants (Socialstyrelsen 2013).<sup>1</sup> However, the precarious condition for vulnerable EU migrants is puzzling in a country which has been characterized by research as epitomizing generous welfare state and immigration policies and good governance (Sainsbury 2012; Koning 2013; Boräng 2013; Charron et al. 2014).

This article focuses on policymaking in Sweden regarding vulnerable EU citizens and discusses the empirical results in relation to previous research on multilevel governance. It has been suggested that settings which consist of multiple actors at different levels (e.g., EU, national, regional and local) contribute to policy deliberations between all actors involved and finally, lead to mutually negotiated implementation in a continuous policy process (Kim &

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Schmitter 2005). Although potential policies will be formulated and developed at every governance level, the actors will increasingly engage with one another. As Stephenson (2013) argues, these policies will gradually become more and more entangled in a truly 'multilevel' governance fashion. However, as we show in this article, the mere presence of actors at different levels – that is, the presence of actors at 'multiple levels' of society – will not automatically result in 'multilevel' governance as traditionally formulated in the literature. Nor will policies necessarily be developed. As our data on policies regarding vulnerable EU migrants in Sweden show, unclear lines of authority and lack of political will make for ad hoc policy solutions and passivity, rather than deliberation and negotiations for policy development.

Our main finding shows that while the local policy makers have been waiting for policy directives and resources from the national level, the national policy makers have regarded vulnerable EU citizens as either a local level matter or an EU responsibility. At the same time the EU policy has been to regard these issues as a national concern. There has been no political or administrative will to begin a multilevel governance process. The only level where actual policy decisions have been made is the local, and these have been ad hoc and avoid long term solutions. As such, this article identifies some of the challenges a multilevel setting may pose to the development of policies, highlighting how policy contexts that appear to be ideal

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settings for multilevel governance, may in fact result in governance solutions that do not necessarily involve all levels.

It has been claimed that multilevel systems may make for 'flexibility and responsiveness of some policy initiatives, innovative ways of including non-governmental actors and the possibility of bottom-up initiatives permeating upwards', but equally 'more traditional, state-centric structural system . . . can create disjointed governance where the actors are not always able to act in a way that fully meets policy needs.' (Curry 2017, forthcoming). However, as the Swedish case illustrates, aspects other than the traditional structures as such may pose a challenge to policymaking. As we demonstrate, the very vagueness surrounding decision making in a multilevel context allows almost every decision maker at any governmental level to claim that the responsibility for vulnerable EU citizens lies 'elsewhere'. Policy makers can – and do – pass the buck to others, who do the same. Local level policy makers appear to be waiting for directives, whereas the policy makers on higher levels regard this a local problem.

By definition, a key characteristic of intra-EU mobility is its multilevel governance setting (Bucken-Knapp et al. 2017 forthcoming). Free movement of people is at the heart of the European constitutional common market project and is one of the most immediately visible and highly valued of the rights of persons living in the EU. Free movement for EU citizens throughout the Union is guaranteed through an EU Directive to those who do not pose an 'unreasonable burden' on the social welfare system of the host country (Directive 2004/38/EC). In comparison to Sweden's first ten years as an EU member, the 2004/08 EU enlargement has led to a substantial growth in the flows of vulnerable groups to Sweden, many of whom face severe difficulties regarding homelessness, social welfare and jobs (Zelano et al. 2016). While this vulnerable group includes many Roma, it is by no means limited to them; it also includes EU migrants, in general, who experience vulnerability due to loss of employment or housing. Their fate is puzzling given that Sweden generally has a strong welfare state record and relatively well-functioning immigration policies in place. Given the European Union's 'free movement rights' granted to all EU citizens, certain policy areas have become explicitly exposed to multilevel governance policymaking – especially regarding the treatment of vulnerable groups. Job Seeking Agencies, as well as various welfare state support agencies, have to consider demands and regulations from many administrative and political levels – including new EU related issues concerning free movement. The free movement rights as such are supported by a formal EU Directive (Arts 6–7, 14, Directive 2004/38/EC / 'Citizenship Directive'), stating that free movement is guaranteed to all EU citizens. However, the Directive only covers those individuals who do not pose an 'unreasonable burden' on the social welfare system of the host country. This social welfare caveat is particularly relevant regarding how to deal with vulnerable intra EU migrants,<sup>2</sup> that is, those exposed to unemployment, homelessness and poverty. These groups are most likely to need social support from a host country. Moreover, given the directive's equivocal scope and meaning, the treatment of these vulnerable groups by political, administrative and judicial actors leaves room for interpretation in many different directions.

## Multilevel governance and migrant integration

Our main argument takes stock of previous research, which claims that multilevel governance patterns will develop over time. Engbersen et al. (2013) state that ad hoc policy measures concerning intra EU migrants from Central and Eastern Europe to the more affluent

Western members have been gradually replaced by more structured and coordinated multilevel policy patterns. Since Sweden was one of the few EU members not to impose any transitional rules concerning the 2004/08 enlargement members, Sweden has in fact had more time than most other EU member states to develop multilevel governance patterns concerning the vulnerable intra EU migrants post the enlargements. Still, at any administrative level, very few coherent policies concerning the vulnerable intra EU migrants seem to be in place ten years later. But more to the point, the data illustrate how Swedish governance actors have been reluctant to formulate any policies in terms of major resources or long term solutions. The only governance level where any action has been taken is the local municipality level, where short-term cooperation agreements with civil society actors have been common. Our claim is that it is the vague multilevel governance context as such which allows for each actor to try and defer responsibility to another level. Without any clear political will and without clear lines of authority between the different levels, ad hoc solutions and passivity are likely to follow.

Even if the competences are shared in the multilevel setting, that does not automatically imply that all challenges associated with the free movement of people generate multilevel governance responses. Exercising free movement rights is by no means absolute, unconditional or evenly applied to all mobile citizens. In the sense that member states still determine their national, social and labour market policies, they have (for example) substantial powers to determine the specific welfare provisions eligible for intra EU citizens (Dwyer, 2005; Askola 2012; Carmel 2013). There is no doubt that intra-EU mobile citizens differ from other immigrants, both in their legal status and formal entitlements. Nevertheless, they may be treated similar to other immigrants in the countries that already have policies and institutions in place to handle immigrants' specific needs, and therefore, these may also be used to address intra-EU migrants' needs. Also, since 2004 EU free movement is not entirely separated from broader debates about immigration, it is affected by policy changes and popular perceptions about immigration and immigrants. Moreover, some groups of EU mobile citizens may fall into 'gaps' as they can enter the country but do not have rights. It has, for example, been shown that job-seeking EU-citizens are often treated on a par with undocumented migrants by front-line welfare workers (Price and Spencer, 2014; also, see discussion in Carmel, 2013: 246–8). What is more, not only are legal frameworks constantly evolving, but the type of intra-EU migration has shifted as the union has extended eastwards. East-West migration from new member states has meant mobility not only of workers, but also what has come to be portrayed as 'poverty migration' (Brücker et al., 2013).

In most European states, at least four political tiers exist at which decisions with repercussions for the citizens are made: local, regional, national, and supranational, the EU (Enderlein et al. 2010). These political tiers may interconnect in different ways. Hooghe and Marks (2003) suggest a vertical 'type I multilevel governance' system where jurisdictions (e.g., states, regions) are multipurpose; memberships in such jurisdictions do not overlap, and the number of political levels is fixed but without being hierarchically ordered. It can be ordered either bottom-up or top-down. In the 'type II multilevel governance', or the horizontal aspect, the jurisdictions are instead seen as functional and task specific, memberships often overlap, and the number of levels is fluid.

Several studies pinpoint city administrations' potential for forming and implementing immigration policies based on local characteristics. Most crucially, for our purpose, the complexity of a multilevel system entails that many policy processes might not involve effective

multi-level coordination at all. In a study of four Danish cities, Bak Jørgensen concludes that 'there are marked differences between the institutional logics of problem framing at national and at local level. (...) While the institutional logic behind citizenship and citizenship and naturalization are solely national concerns (...) permanent residence is granted based on an evaluation by the municipality (...) hence, there is interplay between national and local levels' (Bak Jørgensen 2012: 272; cf van Ostaijen and Scholten 2014 on Dutch cities).

Are policies always formulated and developed at all levels in a multiple level context (Caponio & Borkert 2010; Bak Jørgensen 2012; Scholten 2012)? Top-down coordination or bottom-up coordination or even decoupling of policy processes between policy levels are all empirically possible (Bowen 2007; Joppke 2007; Duyvendak & Scholten 2012; Scholten 2012; Engbersen et al. 2013). Decoupling is a special case. On the one hand, level-specific policies based on different logics or frames of mind are distinctly formulated at each administrative level, but on the other hand, no meaningful interaction takes place between the levels. Only gradually the logics may blend into multilevel patterns (Engbersen et al. 2013: 5, 35 ff). Regardless of governance type, all studies seem to presume that some kind of policy is indeed developed at each level; the main research focus has been to discuss the relationship between the levels. The lack of multilevel coordination primarily appears to be explained as caused by irreconcilable policies based on irreconcilable logics at various governance levels.

## Methods

Given that Sweden is one of the few EU countries who did not impose any transitional rules concerning the 2004/08 EU expansion, when a number of East European countries became members, Sweden was the most likely case to have had time to develop new routines concerning vulnerable intra-EU migrants. Moreover, the access to Sweden's universal welfare state remains unrestricted for third-country nationals who are legal residents. Therefore, the presumption would be that vulnerable intra-EU migrants who come to Sweden will face well-established public sector administrative routines based on solidarity and inclusion and clear application of administrative guidelines.

To discuss the EU mobility policymaking in a multilevel context, we required data from the EU level all the way down to the local level. Our *policy mapping* included formal legislative policies regarding intra-EU migrants. Moreover, our policy mapping included generic policies (such as, labour and housing policies) with implications for EU migrants such as formal decisions, on paper, between/among actors (both state and non-state) having to do with the rights granted to EU migrants. More specifically, we mapped decisions and agreements that bind actors to a specific course of action when it comes to the rights of EU migrants. We carried out 21 semi-structured *expert interviews* with 22 representatives of organizations involved with the service provision to vulnerable EU migrants on a local and national level. Most interviews (here anonymized) were face-to-face on location, albeit a few were conducted over the telephone. The interviews have been partially of an 'informant' character (mapping of cooperation of actors, functional division of tasks) and partially of a 'respondent' character (the actors' views on policies and on benefits and challenges with the current system).

We have chosen data from two major Swedish cities, Stockholm and Gothenburg, both of which are popular destinations for EU migrants coming to Sweden. Given the lack of a formal registration requirement, it is not possible to determine with certainty the number

of EU migrants in either city. However, when it comes to vulnerable EU migrants as such, individual agencies are regularly in contact with this group. Exact figures are difficult to establish but one such agency, Crossroads, estimates that in 2013 they met roughly 150 vulnerable EU migrants in each city. We have chosen to incorporate public officials from national and local political levels, as well as representatives from various civil society actors. From the public sector, we have selected the following actors for interviews: civil servant representatives from the city of Gothenburg and Stockholm (social services), civil servants working with integration issues, the local branches of Public Employment Service and the local representatives of Swedish Migration Board. Regarding the civil society actors, the interviewees have been chosen from those organizations that are most visibly involved in dealing with EU migrant integration in Gothenburg and Stockholm (Stadsmissionen, Räddningsmissionen, and Crossroads). From the national level, we have conducted interviews with national experts, such as, the representatives of Swedish Tax Agency and Employment Agency. Additional information was collected through brief telephone calls and written correspondence. The References includes the list of expert interviewees depending on whether they are active on the national level (SE) or at the local level, in either Gothenburg (GBG) or Stockholm (STH).

In the following analysis, representative examples of policy documents and interviewee statements will be related. The documents and interviews have been utilized to establish how different actors perceive the multilevel governance structure of integration issues relevant to EU migrants. In addition, to provide further context, we have relied on Swedish media sources for the period 2010-2014, in which we initially conducted keyword searches of 'EU-migranter' (EU migrants), in order to identify the key moments in process governance, and then extended the search accordingly. The media sources are the major Swedish newspapers (Aftonbladet, Expressen, Göteborgs-Posten, and Dagens Nyheter), and we have relied on two sets of articles: where relevant actors have been interviewed and/or have published op-ed articles.

Multilevel governance in the sense suggested by previous literature concerns the allocation of responsibility. In the Swedish context, almost all welfare state activities – including job seeking aid – is carried out locally within nationally set objectives, regulations and resource transfers. In turn, some national activities are regulated by international agreements, for example, the EU Directive on free movement. Thus, the challenge, when it comes to managing free EU mobility, is to handle this clearly in a multilevel context (i.e., one where several governance levels exist in a formal sense). A key question in a multilevel setting is to establish where the political and administrative responsibilities lie – and the various actors' views about this. To the extent that political will to formulate policies does not exist, and where clear guidelines and lines of authority are not present, the free movement of people within the EU is set to create substantial challenges for the polity. While on the one hand, political and administrative actors might be frustrated over the vague policy context; this very vagueness might also provide them with the option to try and defer responsibility elsewhere. In the following segment of the article, the empirical sub-sections are organized along three policy challenges: homelessness, social welfare and joblessness. Each of these sub-sections will first highlight the maze of complexity facing the vulnerable intra EU migrants looking to establish a foothold for a shorter or longer term in Sweden. Second, the sub-sections will provide information about how the political and administrative actors at various levels (local, national and EU) have acted in terms of policy regarding vulnerable EU citizens.

## Homelessness

Homeless EU migrants, most of them from Eastern and Central Europe, have become an increasingly common feature in Swedish cities (Stockholms Stadsmission 2012; Socialstyrelsen 2013). It is clear from various estimates that relatively many individuals are affected and the numbers have gone up over the last few years. More than half of this vulnerable group are thought to sleep in cars or in tents. Others occasionally try to rent a room for the odd night (Hem & Hyra 2013). Despite this feature, currently there is no concrete national Swedish policy in operation regarding homeless EU migrants. Thus, in practice, the local authorities are in charge of handling these matters. An important factor contributing to the vulnerability of migrants to social exclusion and possibly homelessness is the slow development of policies that properly account for the EU migrant experience. An institutional obstacle encountered by the homeless EU citizens is their exclusion from the 'shelter guarantee' normally offered by the Swedish municipalities (Socialstyrelsen 2013, p 23). This guarantee is an offer to people who are registered in the municipalities to make sure they do not have to go rough sleeping (Socialstyrelsen 2007). Since many EU citizens are not registered in the municipalities, they are automatically excluded from the shelter guarantee; the help and support that they do receive is mostly offered through churches and charities, sometimes in co-operation with the municipalities (Socialstyrelsen 2013, p. 17).

However, shelter guarantees have been discussed. Since 2011 some local politicians and civil society organisations have criticised the Swedish homelessness policy and lobbied in favour of modifications to the relevant laws and regulations. The City Mission, a charity, has demanded that the shelter guarantee be extended to cover EU citizens as well (Svenska Dagbladet 2012). The Stockholm Social Democratic Councillor Roger Mogert filed a motion in the autumn 2012 to the Stockholm municipality council demanding that the city should provide shelter to all the homeless people (Stockholms Stad 2012b). The city's Social Security Board has discussed the issue of EU citizens' rights at several occasions during 2012 and 2013 (see for example, Stockholms Stad, Socialförvaltningen 2012a, c; 2013). Still, in each case, the Board has concluded that the responsibility of the social security service 'is limited concerning the EU citizens who are not Stockholm domiciles and who are not gainfully employed or seeking employment here (i.e., who are not actively seeking employment or stand any realistic chance of finding employment)' (Stockholms Stad, Socialförvaltningen 2013). Clearly, the message is that the responsibility lies 'elsewhere'.

Documents and public statements by local politicians and officials indicate hesitancy concerning the potential costs a more generous homelessness policy would incur for the municipality finances (Aftonbladet 2012; Stockholms Stad, Socialförvaltningen 2012a, c; 2013). The Stockholm vice mayor responsible for social welfare, Anna König Jerlmyr (Moderate party/Conservative), has repeatedly underlined that the Stockholm municipality cannot afford shelters for EU migrants who have come to the city in the aftermath of the European economic crisis:

'We do have the means to provide shelter for Stockholm domiciles. However, to offer the same help to EU citizens would incur enormous costs. A shelter bed costs SEK 1,800 per night. With some 400 individuals, every night the year around, the cost would be in the region of several hundred million, or up to a billion [105 million euros] (...) But I think what we need is not to formulate a specific homelessness policy for this particular group. Instead, it's about coming up with suitable measures that can be linked to employment. On that point, I think there

is more we can do. I think the Job-seeking Agencies must be far more involved' (Swedish Radio P4 Stockholm 2011).

A similar discourse as that in Stockholm can be seen in Gothenburg. In an interview, Dario Espiga (Councillor for the Social Democrats) gave the following explanation as to why the rights for homeless EU migrants cannot be extended:

'We can help as much as possible, but soon we reach a limit. Imagine the reactions if the Municipality were to help 500 non Gothenburgers to a home, while so many existing young Gothenburgers find themselves without their own flat. That kind of priorities would be impossible and would trigger off racism.' (Göteborgs Posten 2013b).

So, where should the local politician's responsibility lie? A recurring feature is that the local politician demand national guideline about responsibilities and about some kind of national coordination (SVT 2014; SE01; GBG02). As per the representative of the SKL members [The Swedish Association of Local Authorities and Regions] 'the municipalities cannot solve a complex issue, which is basically founded on a degree of poverty and exposure leading to emigration from one EU country to another. Cooperation is necessary between the government, public agencies and charities, and we need an action plan, which will clarify what the EU can do to improve living conditions in various home countries' (SE01).

However, the government has not been willing to develop any guidelines or to provide further economic resources earmarked for EU migrants. The main argument has been that these matters are local issues and that the municipalities should find their own solution of the problem (SE02; SvD 2014). The argument at the national level has also been that the issues should be resolved and dealt with at the EU level:

'Fundamentally this is a social issue. We should put pressure on those countries which do not have to care about fighting poverty or about improving their welfare policies. The problem is about European poverty. That is where we have to start to solve the problem' (SE03).

Both the government and the opposition demanded that the Romanian government should take action against discrimination and take responsibility of their own population. Moreover, the government has approached the EU Commission to demand that an expert group should be set up regarding providing aid to Romania with EU structural funding resources (SOU 2016:6). So far, the Swedish lobbying has not resulted in any noticeable drop in EU citizen homelessness in Swedish cities (GBG02; GBG03; STH02; The Administration for Allocation of Social welfare (2015)). The most acute problems have been dealt with through local ad hoc actions, primarily organized through the voluntary sector. During 2011-15, the Stockholm and Gothenburg Social Welfare Boards did take several decisions to subsidise charities (e.g., City Mission - Crossroads), who provide shelter support and other activities aimed at EU citizens (Stockholms Stad, Socialförvaltningen 2012a; Göteborgs Stad, Social Resursförvaltning 2012a). In 2014, the Stockholm city decided to nearly double the number of beds available for a period of 5 nights, and partly funds a local coordinator commissioned to develop an emergency system for a fast provision of indoor accommodation in the case of cold weather (*Vinternatt 2*) (STH 01). Gothenburg has applied a Voluntary Sector Organisation Public Partnership (VSOPP), a legal construct that allows municipalities to team up with voluntary sector organisations to provide public services (GBG 01). Also, the NGO Göteborgs Räddningsmission has an informal cooperation with the Church of Sweden parishes, within which the parish provides unregistered EU citizens with a caravan parking space, including free

access to water and electricity (GBG02). Crossroads offers legal help, courses and information about Swedish society and provides meals, showers, laundry facilities and rooms for rest and warmth (GBG03). In Gothenburg, partly due to the attention directed towards the Roma minority when becoming a pilot municipality for Roma integration, the city has worked specifically towards homeless Roma from the CEE (GBG03). Since 2013, the NGO Rådningssmissionen is running a day care centre for children of homeless Roma migrants, providing them with language training and various social activities (GBG01). In addition to these partnership arrangements, the local social services also get in touch with homeless EU citizens. As per the street level social workers, the regulations in their area are ambiguous as the limits of their jurisdiction and room for action is not clear.

'Not knowing what assistance the city actually offers to the category makes it difficult to fulfil the mission of doing exactly that – providing information and assistance. We repeatedly ask higher administration levels for guidance about frequent questions, such as, what medical aid is available to pregnant women or what kind of emergency help is actually allowed' (STH02).

In summary, politicians and officials have systematically tried and defer responsibility to another level. Moreover, there has been confusion regarding which governance structure actually applies. Local policies have been developed to some extent but almost singularly of a short-term character, usually involving the voluntary sector. On the one hand, municipalities do not regard providing shelter to EU citizens as their responsibility. On the other hand, there is no national shelter policy other than that it is 'a local matter'.

## Social Welfare

A question strongly tied to the homelessness issue concerns the extent to which EU migrants are entitled to social security support. However, as our data indicates, in Sweden this is an area characterised by inconsistent and uncertain policies. The 2004 European Directive on the workers' free movement states that 'Persons exercising their right of residence should not become an unreasonable burden on the social assistance system of the host member State during an initial period of residence.' This gives the EU member countries the right to deny social rights and expel EU citizens. Moreover, when the right of residence issues is assessed, member states should take into account whether an individual is economically active or inactive (European Commission 2010). However, the Swedish municipalities seem to be at a loss about how to treat EU citizens who are living in Sweden and need social support. In matters related to economic assistance and welfare benefits, many actors point to the fact that there is a lack of information about what regulations apply (Mikamottagningen Stockholm, 2013; SALAR, 2013; GBG03, STH 04). In some cases, the relevant regulation is not an issue as such, but its feasibility or practical applicability. Alternatively, different regulations clash. Administrators at various levels reveal how they have felt obliged to act against one set of directions, in order to meet other (SE03; Mikamottagningen Stockholm, 2013; Swedish Radio 2013). The access to relevant information for local actors seems to vary according to the central government agency they consult. Another issue is the lack of consistent contact with authorities in the country of origin of the various EU citizens. In short, the civil service appears to be more or less unguided by any set standard procedures before granting anyone social benefits (SE03).

When an EU citizen applies for social support, the Local Social Service Office is obliged to assess whether the applicant enjoys the

right of residence in Sweden and whether he or she is a resident in that particular municipality (Socialstyrelsen 2008). The right of residence for EU jobseekers is established based on two criteria: 1) whether the individual stands a realistic chance of finding a job and 2) whether the individual is an active jobseeker (Socialstyrelsen 2013, p.22). The requirements that apply to Swedish citizens apply to EU citizens as well, that is, the individual must be registered with an Employment Service Agency Office and be prepared to accept any referred suitable employment offer and to participate in job training courses and other relevant activities. Any EU citizen who can support themselves on their own through employment or private means or who is a jobseeker with a realistic chance of finding employment will enjoy the right of residence in Sweden. As such, the directive on the right to move and reside freely is unequivocal. However, asked whether they find that the current legal framework provides clarity for decisions regarding economic social support, the social workers express concerns. They find it difficult to decide whether an EU individual should be granted right of residence, which is in turn related to whether the individual can be granted social support on the same terms as Swedish citizens. Among the many difficult aspects the Social Service Officers have to take into account is the prospect of finding employment. The difficulty lies in deciding whether an individual is likely to find employment within three to six months (which appears to be the current time frame authorities apply). These difficulties are emphasised by Social Service Unit Managers:

'Normally, the Social Service Administration does not deal with such matters. [We do not have expert] knowledge about the labour market and are unable to assess whether an individual's skills and training background are sufficient for the current Swedish labour market or whether it is reasonable in terms of how extended a job-seeking period would be' (GBG04).

A Unit Manager at the Stockholm municipality Social Services Administration underlines that '[w]hether there is a realistic chance to become employed is difficult for us to assess. Still, a norm seems to have developed that if you end up seeking social support, then your chances to actually become employed in Stockholm at a later stage are slim.' The process has something of a Catch 22 character (SHT03).

In an attempt to meet the demands of confused and uncoordinated local authorities, the Swedish Association of Local Authorities and Regions has published a handbook with a guide on how to assess applications for social support by EU citizens (SALAR, 2014). Since its publication (2014), the National Board of Health and Welfare has also updated an earlier statement from 2008, about how the rules are to be interpreted (Swedish Board of Health and Welfare, 2014). Since 2015 Gothenburg and Stockholm assess applications for economic support made by EU citizens just like any other applications, but if they are not registered as living in the city, the only option available is to provide a paid return home, and pay for accommodation and living costs during the wait (GBG03; STH02). However, interviewees emphasise the need for further knowledge and information concerning legal aspects, residence rights, eviction rights, assessment and procedures concerning vulnerable EU migrants (GBG04; STH02; SE01).

The presence of a vulnerable and exposed group clearly visible on the streets, but with far less social security than ordinary Swedes, has exposed the politicians, officials and civil society to new challenges. Despite the dire situation many EU migrants find themselves in, the response from policymakers has been to do as little as possible in terms of social support access. In the words of a Gothenburg Crossroads Project Manager:

'As the legal situation is today, the municipality has made the decision that it cannot help the EU migrants. This is one of the large unsolved dilemmas of the free movement within the EU. Neither the national nor the European legislation has managed to fill this gap. [...] And no, it is not the beggars that we mainly encounter, rather the ones who have come to apply for a job, housing and to find support for themselves and the family they often have left at home. They need to be able to come to a place where someone can inform them about their rights and obligations' (GBG02).

In summary, it seems clear that the strategy with which the local officials have dealt with the problem of socially excluded EU citizens has been to delegate the responsibility to civil society organisations. There is an element of national coordination but very little concrete guidance from the national level.

## Job seeking

According to the Free Movement Directive 2004/38/EC Articles 4-15, Article 45 TFEU (the Treaty of the Functioning of the European Union) and a Charter on fundamental rights of EU (2000/C 364/01), a jobseeker from an EU/EES country is entitled to the same kind of treatment as any domestic jobseeker, which should make any distinction between migrant and non-migrant jobseekers superfluous (European Commission 2010a). In Sweden, the Free Movement Directive has been implemented through changes to several laws, like the Aliens Act (SFS 2005:71), and the Aliens Decree (SFS 2006:97). However, in reality, EU migrants encounter a number of obstacles that prevent them from competing on equal terms on the Swedish labour market. EU migrants are treated as a 'second rate league' (Kommerskollegium 2013; Swedish Radio P1 Kaliber 2013). These aspects primarily concern EU migrants who arrive in Sweden without a concrete job offer and who are looking for employment. Although a breach of existing rules, the Public Employment Service has omitted to register EU jobseekers properly (GBG02, Kommerskollegium 2013; SHT04; The National Board of Trade 2013). The EU citizens who attempt to register are often met by Job Centre officials who are ignorant about current rules and who ask for unfounded requirements. Waiting times often stretch to months (Kommerskollegium 2013; Fria tidningen 2015). Clearly, the officials have not fully embraced the view that EU citizens are within their responsibility remit.

As per the stakeholders, a key integration obstacle feature regarding the intra EU Migrants concerns the administrative rules about employment contracts (GBG02; SE01; SE04; STH04). Only a contract valid for a minimum of one year is considered sufficient for persons to be entitled to a Swedish Personal Identity Number (*personnummer*) (Kommerskollegium 2013:8). This number is compulsory for all Swedish citizens and necessary for any contact with authorities and for most contacts with the private sector. The Identity Number entitles the holder to register for seeking accommodation (*Boplat*s), gives the right to health and care services, to register with the Public Employment Office (*Arbetsförmedlingen*) and private recruiting agencies and to open a Swedish bank account (ibid, p. 12-3). On the one hand, the Swedish Civil Registration Act clearly states that EU citizens must spend at least one year in Sweden to enter the population register and receive a Personal Identity Number. On the other hand, those who have a job contract valid for more than a year can be issued a Personal Identity Number directly. As many migrants only have short term contracts or no contracts at all, they encounter difficulties with Job-seeking

Agencies. Therefore, employers who wish to recruit workers are far more likely to recruit individuals who are already residents of Sweden and hold a Personal Identity Number. The National Board of Trade responsible for assisting foreign companies and individuals arriving in Sweden summarises the conditions for EU citizens to work and/or settle in Sweden in the following way:

'The most common problems encountered by EU citizens in Sweden arise in connection with not having a Swedish personal identity number. Not being able to sign an employment contract, gain access to health care, open a bank account, or rent an apartment makes life extremely difficult for these EU citizens' (SE06)

The local public employment offices admit to not having sufficient available information about Sweden and the Swedish labour market. Keeping the information up to date is time consuming, especially as no extra resources are available for the increased work load (GBG05). Previously, there was information available in Polish and German, but as no one had time to update the information sheets, they have become obsolete and useless (GBG05).

EU migrants on short term contracts (or self-employed) can apply for a so-called Co-ordination Number (*Samordningsnummer*) (Socialstyrelsen 2013, p.37). This number is of relevance to be registered by the Swedish Tax Agency and it will also make the holders of the number eligible for inclusion in the Employment Service Agencies' databases (Arbetsmarknaden 2011). The legal procedure is that the Employment Service Agencies approach the Tax Agency with a request for the Inland Revenue to issue a Co-ordination Number on behalf of any jobseeker not having a valid Personal Identity Number. Despite this legal obligation, the Employment Service Agencies do in fact systematically refrain from performing the request – in blatant breach of the EU's rules about free movement (Arbetsmarknaden 2011; Swedish Radio P1 Kaliber 2013; Göteborgs Posten 2013a). Since Co-ordination Number requests must be formally filed by a Government Agency, the Swedish Tax Agency always turns down individual applicants who then find themselves back at square one. Interviews indicate that the Co-ordination Number difficulties are due to lack of training among officials, which creates ambiguities concerning relations between the Swedish Tax Agency (Inland Revenue) and other Government Agencies, such as the Employment Service Agencies (SE04; SE05). In 2010 the Swedish Unemployment Insurance Board (a Government audit agency) highlighted inadequacies concerning the Employment Service Agencies' EU citizen Co-ordination Number procedures. These citizens are unable to receive jobseeker-employer matching support from the Employment Service Agencies on equal terms with Swedish citizens (IAF 2010). However, it was not until the spring 2013, when the issue was brought to the agenda by Swedish media that Swedish agencies promised to act to deal with the irregularities (Socialstyrelsen 2013). An Employment Service Agency official describes the insufficient Agency routines concerning EU migrants thus:

'...in case someone wants to register with us and utilize our services, we are required to set up a co-ordination number. In some cases, I believe this is what we actually do. But, we do not act like this in all (the) cases where we should. I think there has been a great degree of uncertainty on our part regarding how to organise these things' (STH05).

Another Employment Service official explains the insufficient Agency routines in the following way: 'More people are coming here all the time and there is a huge turnover. We have not been given more resources due to these facts – almost the opposite. Since EU migrants are considered to be equal to Swedes, by principle, they

are not considered to be a load for us – but they are. Our workload has increased rapidly because of the free movement'(GBG05).

As for registration at the Employment Agency, the office in Stockholm city centre does not have a liaison officer handling registration of EU citizens, but is in regular contact with Crossroads Stockholm to make sure that they provide correct information to their visitors (STH05). There continues to be a lack of central guidelines about how to manage the registration of EU citizens without a social security number. This leads to confusion at the grass root level, and each individual desk officer is left at one's own discretion (STH05).

There have been some improvements to some extent after media scrutiny. A radio documentary (Swedish Radio 2014) revealed how the local unit of the national agency either refused to register EU citizens, or had them register in a separate hard copy system, and not through the regular virtual one. According to the Crossroads Project Manager in Gothenburg: 'Things have improved here in Gothenburg. The scrutiny got the process going. But what is still a problem is ignorance among certain officials. Directives have to be issued from above and the information has to be disseminated' (GBG02).

In Stockholm, the situation has improved somewhat as well. However, long waiting times for coordination numbers are still an issue. Often this will take up to three months (SHT4; STH06).

'That's a very long time. EU citizens have a right to stay in Sweden and apply for employment during six months. They are not entitled to "Swedish for Immigrants" courses until they have received their coordination number. Unless they are enrolled to study Swedish, it's a problem' (SHT04).

As per the Swedish Tax agency, handling times for coordination numbers are officially two or three weeks. However, waiting times still often run to three months (SE04). The Employment Service Agency is in continuous contact with Crossroads Gothenburg and Stockholm. Guided by the local guidelines made at the Agency, Crossroads is able to prepare the registration of their visitors that don't speak Swedish or English, and avoid misunderstandings (GBG02; STH04). Crossroads also provides interpreter services to the Employment Agency and offers some courses about the Swedish labour market and on some national regulations.

In summary, job seeking for vulnerable EU citizens is full of administrative obstacles. Few actors appear to regard this area as a priority in terms of responsibility or resources. Policy procedures are ad hoc and short term with heavy reliance on the voluntary sector.

## Conclusion

In spite of a still robust Swedish welfare state, inclusive refugee and labour migration policies and a well-developed administration in general, the vulnerable EU migrants with joblessness, homelessness or poverty issues face severe obstacles in Sweden. However, the Swedish case of integration regarding vulnerable intra EU migrants highlights that a key aspect of establishing viable multilevel governance is the direction of authority and the line of command. Even though the European Court of Justice may have ruled EU migrants as perfectly eligible for national welfare state support, there is no EU audit or follow-up political or administrative clout to ascertain implementation. Thus, while there is no top-down governance structure, neither is there any bottom-up. Policymakers do not seem to have adapted their frames of mind so that the intra EU migrants are regarded as included inside the umbrella of labour market policies and welfare state support.

The multilevel governance structure as such triggers issues of political and administrative responsibility. In short, who is responsible for helping vulnerable EU migrants? Is it the EU? The national or the local level? Vulnerable EU migrants are caught between two stools: neither do policymakers regard them as eligible for regular immigrant policies (because they are not formally 'immigrants') nor for regular citizen welfare policies (because they are not citizens). Free mobility management is a challenge that emerged in a multilevel context, with policies developed at one level having unclear implications for actors working at other levels, and with questions of authority and competencies remaining highly uncertain. Multilevel governance structures with unclear chains of command allow all involved actors to expect other actors to take the lead in matters that are politically controversial, demand a lot of resources or are administratively complicated. In many ways, this is exactly what seems to be happening in Stockholm and Gothenburg. In both cities, policy makers appear to be waiting for national (or EU) directives. At the same time, national policymakers (let alone EU officials) appear to be regarding the social welfare issues as local level problems. The result appears to be that the only level where policies are in fact developed, albeit in a passive, reluctant and short term way, is the local level where it is hard to avoid noticing the problems such as begging and rough sleeping. Still, as we have shown, the local political will is primarily geared towards trying to make the problems national and EU concerns. In short, despite the multilevel context, no multilevel governance patterns emerge.

Our analysis reveals several general institutional obstacles, which all contribute to making it difficult for vulnerable EU migrants to find employment and social welfare protection in Sweden. Administrative shortcomings concerning the coordination of different bureaucratic actors attempting to deal with EU migrants are among the chief obstacles. There seems to be an immediate need for clarification regarding the rules and regulations concerning EU migrants, including the remit of Government authorities and civil society organisations. Currently, uncertainties and insufficient knowledge is rife concerning which regulations apply and how to interpret them. Guidance to social service officials is lacking. Issues include the right of residence, social service benefits and Co-operation numbers. Consequently, fragile intra EU migrants face difficulties when they are unemployed and when they are seeking social assistance.

The knowledge about vulnerable EU migrants appears to be very limited among public authorities – at any level – who need to clarify their procedures and to provide unequivocal information about the type of support available to EU immigrants and on who should cover the costs. The right to free movement in Europe is based on the presumption that EU migrants have the means to support themselves, including their families. Unless employment is secured or there are alternative means of support, the right of residence might be forfeited. Because of this and due to the generally limited aid options, many EU migrants avoid any contact with the authorities in municipalities. Although many migrants manage to establish themselves in Sweden, there are thousands who are not able to do so (the numbers are unclear). We have detected no signs of any systematic differences between Stockholm and Gothenburg as regards administrative routines concerning intra EU Migrants. In this case, who rules does not seem to matter regarding how the vulnerable EU migrants are met. Every actor – including the EU – appears willing to pass the policymaking buck to actors elsewhere, either inside or outside the public sector.

The Swedish City administrations may have formulated policies but they are short term and hesitant. In several cases, they have

tried to defer authority to civil society actors, but more frequently they have in fact remained passive. This passivity has opened the field for well-established, as well as new civil society organisations who have stepped in through their own initiative. Thus, the multilevel governance web has become even more intricate than before. There is some evidence of an ongoing mismatch between the policies/administrative practices that have long been present within Sweden. The new reality of intra EU migrants is not easily channelled into these practices. After decades of tightly-controlled immigration to Sweden, in which the arrival of refugees, asylum seekers and labour migrants occurred in a highly-structured fashion, the new wave of intra EU migration has shifted the dynamics. Whereas previous waves of migrants were unlikely to fall through the administrative cracks, the realities of free movement of EU groups highlight the limitations of these institutions when it comes to identifying groups in need of specific services, and ensuring (or even granting) them ease of access to services that could facilitate the integration process. Whether this lack of coordination in a multilevel governance setting becomes the new norm for addressing the integration of EU migrants remains to be seen. At stake is the whole idea of a comparatively problem-free integration of vulnerable intra EU migrants.

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## Notes

1. By vulnerable groups we refer to those who arrive in Sweden unemployed or on short term job contracts or without the financial means to cover housing and general welfare.
2. In this article, we use the term 'intra EU migrants' instead of the official 'EU free movers'. EU free-movers are not always intrinsically dissimilar to other migrant groups since they are exposed to variety of restriction by country of origin and destination, employment type, skill level and so on (Askola 2012; Carmel 2013).

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- GBG02 (2014, November 12) Crossroads Gothenburg
- GBG03 (2014, November 12) Coordinator Vulnerable EU citizens, Social services, Gothenburg
- GBG04 (2014, November, 18) Social services, Gothenburg
- GBG05 (2014, December, 7) Desk officer , The Swedish Public Employment Service, Gothenburg
- GBG06 (2014, December 12) Care centre for the Homeless, Gothenburg
- GBG07 (2014, December 15) Desk officer, Swedish Tax Agency (Gothenburg)

GBG08 (2014, December 15) EURES advisor, The Swedish Public Employment Service  
SE01 (2015, March 13) Swedish Association of Local Authorities and Regions  
SE02 (2015, March 17) National homelessness coordinator  
SE03 (2015, March 18) Swedish Board of Health and Welfare,  
SE04 (2015, April 14) Swedish Tax Agency  
SE05 (2015, April 14) National employment office  
SE06 (2015, April 15) National board of Trade  
SE07 (2015, April 16) City Mission  
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