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Statistics on residence permits and residence of third-country nationals

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1 Introduction

Article 6 of the forthcoming EU Regulation, *The Provision of Statistics on Residence Permits Issuance and Residence of Third-Country Nationals*, specifies four types of statistics on non-EEA citizens:

- the number of permits issued during the year of reference whereby the person is granted permission to reside in a country for the first time (Article 6.1a.i);
- the number of permits issued during the year of reference and granted on the occasion of a person changing immigration status or reason for stay (Article 6.1a.ii);
- the total number of valid permits at the reference date (number of permits issued, not withdrawn and not expired) (Article 6.1a.iii.)
- the total number of long-term residents from third countries(Article 6.1b)¹.

The Regulation also specifies that 'Where the national laws and administrative practices of a Member State allow for specific categories of long-term visa or immigration status to be granted instead of residence permits, counts of such visas and grants of status are to be included in the statistics required under Paragraph 1'.

The first three have categories should be disaggregated by citizenship, reason for issue and length of validity of the permit, while the fourth one is only required by citizenship. Article 8 also refers to additional disaggregation of statistics on residence permits and residence of third-country nationals in a further step: (i) year in which permission to reside was first granted; (ii) occupation; (iii) economic activity; (iv) age; and (v) sex.

The aim of this chapter is to consider how the data sources discussed in Chapter 4 may be used to provide the statistics requested by the EU Regulation. We will consider both residence permit databases and aliens' registers, depending on the country. The key questions are: (i) is the requested data available? (ii) is this data reliable according to the definition used and the coverage at national level? and (iii) is the data comparable at EU level? In the first section it will be noted that the collection of statistics on residence permits is not new, even if some recent improvements are significant. In the second section, we will consider each paragraph of Article 6 separately, with appropriate comments. In the last section we consider the usefulness of these statistics for wider demographic estimates of the flow and stocks of international migrants.

¹ According the legal framework indicated in the Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents. *Official Journal* L 016, 23 January 2004, p. 0044–0053.

2 A brief history of statistics on residence permits

The OECD is the first international organisation to have published statistics on residence or work permits to describe the situation in some country reports. Since the mid 1970's, the OECD has been developing a continuous reporting system on migration (SOPEMI), collecting various statistics on foreign populations. The data sources suggested in successive UN recommendations on international migrations have varied over time². The 1976 UN recommendations identified three major types of data sources producing information on international migration, namely, border collection, registration and household-based field enquiries. The latest revision of the UN recommendations (UN 1998) emphasised data collection from various types of registers of foreigners (including administrative registers) such as residence permit databases.

As far as the EU is concerned, the Commission has introduced legislation aimed at harmonising policies on the issuing of residence permits and so has identified the need for the production of comparable statistics. Improving the comparability of these statistics is now one of the objectives of the European Commission. In 2003, DGJAI (Directorate-General Justice and Home Affairs) undertook a pilot data collection on residence permits, which was disseminated through the Annual Report on Asylum and Migration for the year 2001³. This contained only one table on 'Annual total number of residence permits issued' disaggregated by reason for issuance. For many countries it was not possible to obtain disaggregated data according to whether this was the first or a subsequent issuance of a permit. The stock of valid residence permits was not covered, nor was the number of long-term residents.

At the end of 2004, Eurostat introduced a new set of statistics on the legal migration and stay of non-EEA citizens for the year 2004 into its annual data collection. Several new tables will be introduced. With regard to the number of residence permits issued, the explanatory note written by the Commission suggest that 'it should be possible to exclude or to count separately those permits that are renewals (not involving a new arrival or a change in immigration status)⁴. Member States should also supply Eurostat with data on stocks of legal migrants, in the form of one table for the foreign population and another for long-term residents. In terms of breakdown, this proposal is slightly different from the forthcoming EU regulation, since length of validity is ignored when issuances (new permits as well as renewals) are considered, and sex is introduced as a variable in stock statistics.

3 Statistics on residence permits

3.1 First residence permits

It appears from the first annual report presented by DG JAI, that only 15 EU Member States were able to provide information on the total numbers of permits issued. Among these countries, only 7 provided the figure for first issues only (see Table 20)⁵. However, as Chapter 4 indicates, it is theoretically possible to obtain data on first issues (excluding renewals) for most countries, as most databases are centralised and store the complete history of successive residence permits based on PINs. Some detailed work on the implementing measures could open up the potential of these currently underexploited data sources.

² See Chapter 2, which is devoted to the development of the recommendations on international migration statistics.

³ See http://europa.eu.int/comm/justice_home/doc_centre/asylum/statistical/doc_annual_report_2001_en.htm

⁴ "Developing a data collection on legal residence and stay of third-country nationals", 15th Immigration and Asylum Committee, MIGRAPOL 97, DGJAI, 17 December 2004

⁵ The number of residence permits issued in 2001 was higher than the total estimate of flows of foreigners found in the usual statistics on international migration. However the restriction to the first permit was not mentioned in the statistical request.

Statistics on first residence permits should measure the flow of persons newly arrived in the country. This requires a rigorous approach to the computational arrangements for identifying the first document delivered to a foreigner, and avoiding possible confusion with renewed residence permits. Statistically speaking, any given foreigner should be counted once and once only when he or she actually enters the country. The risk of misleading information is illustrated by the following national examples:

- The chronological perspective of successive residence permits should be properly preserved in the database, even when there is an interruption in the right to stay. However some countries (Spain, Hungary, Greece, Slovenia)only keep the current permit and automatically remove the foreigner's file when the permit expires. Thus when a new application is submitted after a certain delay, a new file is created for the person, and the permit issued is considered as a new one instead of a renewal. This challenge to data managers is particularly sensitive for the regularisation of foreigners in an illegal situation. Indeed, amnesty programmes target both foreigners who have never held a residence permit and those who have previously had a renewal request refused but are later regularised. To avoid double counting, the latter should be excluded from the count of first issues and included in the statistics of change of status (see below).
- A distinction between place of issuance and place of residence has to be made in order to take into account only those people with a valid residence permit who are actually living in the country. In most countries the number of first permits issued within the country does refer to people who have actually entered the country. However in about 10 countries, documents allowing a stay (residence permits and long-term visas) can be issued before the applicant arrives. In some of these countries (Denmark, Estonia, Austria) there is no check on whether the holder enters the country or not. In these cases, the statistics could be over-estimated. Conversely, the statistic could be under-estimated if some kinds of documents or categories of people are not taken into account in the statistics on first permits.
- In Portugal and Poland, long-term visas are not recorded in the database even after the holder has entered the country. In France, the statistic of first permits issued provided by the Ministry of the Interior sometimes excludes permit with a validity of more than one year.
- In seven countries minors are not taken into account since they do not get their own residence permits, and so have no personal file in the database (see Chapter 4, Table 7). Accordingly they cannot easily be included in the statistics. Hence it might be desirable to use a statistical source other than residence permit records (for instance, documents related to family reunification procedures) or extract the relevant information when children are registered on their parent's file. This would entail the use of a complicated methodology to exclude the possibility of double counting (children may appear on the file of both their mother and their father, and it will be necessary to avoid counting them as new arrivals when they reach the age when an individual residence permit is required) or underestimation (parents may forget to declare their children's arrival or may only declare it when their residence permit is renewed). This would still not solve the problem of ensuring data quality for unaccompanied minors.
- A similar situation applies to data on documents delivered to asylum seekers. Due to the fact that asylum seekers waiting for a positive decision may receive a provisional authorisation to stay, they could theoretically be considered within the scope of the statistics. However in 14 countries asylum seekers appear not to be recorded in the residence permit database because they are not entitled to receive a document granting them legal stay until their application is decided (Chapter 4, Table 7).

For international comparisons, the implementing measures should define the length of validity of residence permits included in the relevant statistics. The comparability of the statistics also requires a common coverage of the foreign population covered by various immigration statuses which are not residence permits as such.

3.2 Persons changing their immigration status or reason for stay

The request for information related to changes of status seems to be the most innovative and important element of Article 6 of the EU Regulation since it is focuses on the dynamics of the 'administrative careers' of foreigners, and not on their situation at a given point in time. This means that the request is more demanding than other statistical requests, as it requires the collection of data to compare successive residence permits over time in order to identify, among the totality of renewals, those which involve a change in the legal status of the migrant. In countries where only the current residence permit is stored in their database, the availability of this data is problematic. As mentioned above (Section 3.1), Spain, Hungary, Greece and Slovenia are currently unable to provide the required information .

In countries without a centralised residence permit database, or in which there are several unlinked databases, indicators of changes of status may be underestimated due to the fact that some transitions will not be taken into account. This is the case in Portugal and Poland where foreigners are allowed to begin their stay with a long-term visa which is not recorded in the main database. When a normal residence permit is obtained, they are included for the first time in the main database. The fact that this is a change of status remains hidden. In Sweden and in the United Kingdom there exist several subdatabases, which makes it more difficult to link successive permits issued to any given individual. As the collection of statistics on changes of status presupposes a longitudinal perspective, it would be useful to test the quality of the cross-sectional estimates.

The need for comparability of statistics on changes of status also requires the implementing measures to define this phenomenon. No identical renewal of a residence permit is considered as a change of status; a change of status corresponds to a change in type of residence permit. However, two important questions remain to be answered:

Which criteria are relevant for recording a modification in a residence permit?

Two types of change of status must be considered: a change in the length of validity of the new permit (extended duration); and a change in the reason for issuing the permit (for instance, a permit granted to a student may later be changed to a residence permit allowing work). In terms of the length of validity, three kinds of change of status may be distinguished: (i) short term permit or visa (less than 1 year) converted into temporary residence permit (1–5 years); (ii) temporary residence permit converted into long-term or permanent permit (5 years or more); (iii) short term permit or visa (less than 1 year) converted into long-term or permanent permit. In terms of reasons, more changes of status have to be considered: (i) study converted into family or work purpose; (ii) work converted into family purpose; (iii) family purpose converted into work purpose; (iv) asylum application converted into refugee (convention) status or subsidiary protection; (v) subsidiary protection converted into refugee status; (vi) undocumented foreigners becoming regularised; (vii) national residence permit converted into EU long-term residence permit; (viii) other type of changes of status. This classification remains a point of debate for further implementing measures.

What modifications are significant?

Whatever the criteria retained, it is important to note that different types of change have different implications for the status of foreigners. For instance the replacement of a one-year permit by a two-

year permit does not radically modify the living conditions of the person involved. Given the fact that there are a wide range of types of residence permit across the Member States, the picture remains diverse and dependant on national legislation. Here are some examples. If a minor living in the country obtains a new type of permit on turning 18 years old, he or she is considered as having moved to a new status. But this transition is unobservable in countries where children do not have their own residence permits. Students changing their status are granted a new type of permit without any interruption of their stay on the territory, unless they are required to return to their country of origin to apply for a new permit. This statistic could also include undocumented foreigners who are regularised (or at least those regularised people who were not counted in the first residence permits statistic because they had a residence permit which was only renewed on the occasion of the amnesty programme).

3.3 The stock of valid residence permits

As mentioned above, in order to produce flow statistics – first issue permits as well as changes of status – residence permit databases need to record the successive documents granted to each individual. This is necessary to distinguish the initial residence permit from subsequent renewals and, in the latter case, to know whether characteristics have changed. These conditions are less important for stock statistics: all residence permits will be considered, whatever their origins, as long as they are valid at the reference date. This statistic is elaborated by counting the number of active personal files recorded in the database, the date of expiry being a key variable. As shown in Table 20, these statistics appear to be the easiest to collect. They are available (at least potentially) in most EU Member States. However they are considered to be of little importance in four countries and are not published in the United Kingdom or Denmark. In Portugal and Germany an improvement in the electronic procedures applied to residence permit databases would be necessary to obtain more useful data. Indeed in these two countries the distinction between valid and expired residence permits is not made.

In terms of reliability, the data should preferably cover everybody with their usual residence in the country. For several reasons this it is not always the case, creating an under- or over-estimate.

 figures on residence permits are over-estimated compared to the actual population when the residence permit database is not properly updated: in case of emigration, acquisition of citizenship, or death before the residence permit expires, the permit is not always automatically deactivated.

In a more limited set of countries over-estimates could also be due to the inclusion in the stock statistics of:

- people with residence permits or long-term visas issued abroad, who never actually enter or live in the country (Denmark, Estonia and Austria);
- foreigners holding several residence permits at the same time (especially in countries which have several databases of permits).

Conversely the foreign population may be under-estimated in counts of residence permits. The following categories of people are either not recorded in the residence permit databases or are not counted in the statistics, although they are included in the information system:

- minors,
- asylum seekers,

and in a more limited set of countries:

- holders of long-term visas (Portugal, Poland),
- students (Spain, Finland),
- foreigners whose residence permits are being renewed (Spain, Hungary, Greece, Slovenia).

Implementing measures for the Regulation must define the population covered by these statistics in order to ensure better international statistical comparisons and national consistency between flow and stock data

3.4 Statistics on long-term residents

The EU Directive⁶ defines long-term residents as third-country nationals 'who have resided legally and continuously within its territory for five years', combined with a series of socio-economic conditions (stable and regular resources, sickness insurance) that must be met in order to gain this status. Under this general requirement such persons are entitled to receive a specific 'EC-long-term residence permit' with a time validity of at least 5 years. 'A long-term resident shall acquire the right to reside in the territory of Member States other than the one which granted him/her the long-term residence status, for a period exceeding three months', on various grounds. The long-term resident may be joined by the members of his/her family who fulfil the conditions referred to in Directive 2003/86/EC related to family reunification. Except in Denmark, the United Kingdom and Ireland, this Directive has to transposed into national law by 23 January 2006 at the latest.

This uniform European permit will make it easier to get statistics once the Directive has been transposed. The information should not be confused with long-term national residence permits. The statistics requested are on stocks of long-term residents, not flows of foreigners newly recognised as having long-term status (which should be included with other changes of status).

3.5 Availability of information on variables of disaggregation

Article 6 of the Regulation on data collection on residence permits for non-EEA citizens requests disaggregation by three variables: citizenship, the length of validity of the residence permit, and the reason for issuing the permit. The latter two are not included in the current data collection on international migration and usually resident population (Article 3). These variables are not usually required in statistics, mainly because they are not usually kept in the population registers which, in many countries, provide the data on international migration. The reason for granting a residence permit is very relevant for monitoring immigration policy targeted at specific categories of migrants⁷. However the reasons for stay are provided by the residence permit database, and it should be borne in mind that the legal grounds for issuing a residence permit may reflect the administrative categories defined by the law of the country rather than the real motives for staying.

Almost all of these variables are recorded in almost all the databases on residence permits of the Member States. However, some variables are considered too sensitive to be kept in few countries. For instance, citizenship is not recorded in the United Kingdom, nor are the grounds for stay in Germany.

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⁶ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents. *Official Journal* L 016, 23 January 2004, p. 0044 - 0053

⁷ For migration of family members, see Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, *Official Journal* L.251, 3 October 2003, p. 0012–0018. For migration for the purpose of studying, see the Proposal for a Council Directive of 7 October 2002 on the conditions of entry and residence of third country nationals for the purposes of studies, vocational training or voluntary service, COM(2002)0548 final. For migration for the purpose of work, see the Green Paper of 11 January 2005 on an EU Approach to Managing Economic Migration, COM(2004)0811 final.

Article 8 stipulated additional disaggregations (see introduction) which will be requested in a further step.

4 Links between statistics on residence permits and other statistics

According to the UN recommendations⁸, 'in principle registers of foreigners can be used to obtain statistics both on the inflows and outflows of foreigners from a country and on the number of foreigners residing legally in the country at a given point in time (a measure of stock)'. The aim of this section is to highlight the potential for EU Member States to develop this source of information for statistical purposes, and to compare it to the data sources (such as population registers) more frequently used to estimate international migration. Both sources are limited to legal migrants.

4.1 The estimation of immigration flows

The statistics requested by the EU regulation on foreign inflows (Article 3) and on residence permits (Article 6) are not fully comparable. The former refers to long-term migration only (meaning people who establish their usual residence in the receiving country for a period that is, or is expected to be, at least twelve months); however there is no time criteria in the latter, which includes the short-term component. Therefore, statistics on residence permits will give a more comprehensive picture of foreign immigration and the extent to which long-term migration differs from overall migration. However data on first residence permits is not always a reliable source of information on actual inflows to a country, since (as detailed in Section 3.1 above) an individual may receive several residence permits in a year, may obtain a permit without entering the country, or conversely may not be counted if he or she has a special status.

In practice, eight EU countries (the Czech Republic, Greece, France, Latvia, Lithuania, Hungary, Portugal and the Slovak Republic) use the issuance of residence permits to estimate foreign immigration flows. These are countries without population registers or with deficiencies in the self-declaration of arrivals. For these reasons, the issuances of residence permits may be seen as a next-best solution to estimating foreign inflows, with some possible under or double-counting as mentioned above. The statistics based on residence permits are no less detailed regarding sex, age, citizenship, and country of previous residence than those derived from population registers.

4.2 The estimation of emigration flows

Estimating outflows from residence permit information is not recommended by the Regulation, but is done in six Central and Eastern European countries. These countries use the date of expiry of the residence permit as the date of *de jure* departure. Legally speaking, a foreigner with an expired permit is supposed to leave the country. However this is not necessarily so, as foreigners may remain illegally for a certain period of time before applying for a renewal of their residence permits. Alternatively the expiry date may occur a long time after the actual departure of the foreigner, especially when permits have a long length of validity or are permanent. By law, foreigners are required to return their residence permits when they leave the country permanently, but there are no real incentives to persuade people to fulfil this requirement. So the expiry date of the residence permit is often irrelevant, even though in some countries the quality of the statistics derived from self-deregistration from population registers is unsatisfactory.

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⁸ United Nations (1998), p. 19

4.3 Information on changes of status

The latest UN recommendations include a large section on a framework for the compilation of statistics on changes of status, developing a more dynamic view of migration analysis than cross-sectional measures and trying to promote statistics related to people admitted for one reason and later getting legal recognition to continue their stay for a different reason. The UN recommendations emphasise that the most relevant changes of status are those which transform a short-term migrant into a long-term migrant, with a view to adjusting the number of long-term migrants enumerated in that year or the previous one. The number of people moving from a short-term permit (under 1 year) to a long-term permit could be added to the number of first residence permits issued for at least one year to get the total number of long-term foreign migrants.

4.4 The stock of valid permits compared to the stock of the foreign population

The stock of third-country nationals can be counted either through residence permit databases or through population registers. In some countries, residence permit databases are not fully updated with events such as departures, acquisitions of citizenship or deaths during the period of validity of the residence permit. The population register is directly informed of all these events, whether the information is self-declared or introduced by administrative corrections. On the other hand, the registration of the foreigner in the residence permit database is in principle deactivated when their permit expires, while this is not always the case for the population register. Thus the figures for the legal foreign populations in the two databases may not be consistent; nevertheless comparisons are useful in identifying faults of the respective registration systems.

In countries where the census is used to estimate the population stock, the comparison is on a different basis since the census is supposed to cover the whole foreign population, including illegal migrants. If the data from residence permit databases were kept fully updated it would theoretically be possible to deduce the number of undocumented residents by comparing this data with that from the census.

5 Conclusion

Statistics on legal migration are relevant for comparing and gaining a better understanding of the migration policies of the various EU Member States. Currently data collection is at a preliminary stage and there is a lack of statistics on residence permits. Nevertheless, almost all countries will be able to produce this information in the near future, since data on residence permits is usually stored in an electronic format in a unique database at national level. This information source is currently underexploited.

However some problems remain which make comparison of the statistics of the various EU Member States difficult. Comparable data requires the implementation of precise recommendations and explanatory notes. For instance, neither the distinction between first residence permits and renewals, nor the reliability of the stock of valid permits is clearly established in four countries. The reliability of these statistics also depends on the quality and regularity of the updating of the residence permit database so far as acquisition of citizenship, departure and death are concerned. Statistics in general can be altered by the inclusion of residence permits issued abroad, and the inclusion of specific sub-populations (especially asylum seekers and minors). Figures on first residence permits and the stock of legal foreign population are close to the statistics requested by Article 3. Accordingly inconsistencies could be detected by comparing the two data series. This is not the case for figures on changes of status and the number of long-term residents, which are totally new requests for information. The latter is closely

connected to the EU Directive, while the former may be seen as a means of evaluating how the legal stays of foreigners develop. The Regulation does not recommend using residence permits to give an estimate of outflows, but some countries do use them in this way.

The introduction of the reason for issuing residence permits in all these statistics seems to be the greatest innovation, and is directly related to national legislation on residence permit issuance. Therefore, statistical analysis will require knowledge of the judicial situation in each country.

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Table 20. Availability of statistics on residence permits

	Statistics requested in the EU regulation (Article 6)†					Variables recorded in the database			First permits or expired permits regularly used to estimate	
	First issue residence permits ⁹	Change of immigration status ¹⁰	Stock of valid residence permits	Inclusion of long-stay visas or residence permits issued abroad ¹¹	Long-term residents ¹² Article		Length of validity	Reason for granting	immi- gration flows	emi- gration flows
	6.1a.i	6.1a.ii	6.1a.iii	uorouu	6.1b			ıg		
BE	Y	Y	Y	n.a.	[Y]	Y	Y	Y	N	N
CZ	Y*	Y	Y	Y***	[Y]	Y	Y	?	Y	Y
DK	Y*	Y	N	Y	N	Y	Y	Y	N	N
DE	Y*	Y	Y^{13}	n.a.	[Y]	Y	Y	N	N	N
EE	Y^{14}	Y	Y	Y	[Y]	Y	Y	Y	N	N
EL	[Y]**	Y	Y	n.a.	[Y]	Y	Y	Y	[Y]	N
ES	Y**	N	Y	n.a.	[Y]	Y	Y	?	N	N
FR	Y	[Y]	Y	n.a.	[Y]	Y	Y	Y	Y	N
IE	[Y]	Y	Y	n.a.	N	Y	Y	Y	N	N
IT	Y	Y	Y	n.a.	[Y]	Y	Y	Y	N	N
CY	[Y]	N	Y	n.a.	[Y]	Y	Y	Y	N	N
LV	Y*	Y	Y	n.a.	[Y]	Y	Y	Y	Y	Y
LT	[Y]	Y	Y	n.a.	[Y]	Y	Y	?	Y	Y
LU	[Y]	[Y]	[Y]	n.a.	[Y]	Y	Y	Y	N	N
HU	[Y]	N	Y	Y***	[Y]	Y	Y	Y	Y	Y
MT	[Y]	[Y]	[Y]	n.a.	[Y]	?	?	?	N	N
NL	[Y]	[Y]	[Y]	n.a.	[Y]	Y	Y	Y	N	N
AT	Y	Y	Y	Y	[Y]	Y	Y	Y	N	N
PL	Y	N	Y	N	[Y]	Y	Y	Y	N	N
PT	Y	N	Y ¹³	N	[Y]	Y	Y	Y	Y	N
SI	Y*, **	Y	Y	Y***	[Y]	Y	Y	Y	N	Y
SK	[Y]	Y	Y	Y***	[Y]	Y	Y	Y	Y	Y
FI	Y*	Y	Y	n.a.	[Y]	Y	Y	Y	N	N

⁹ [Y] indicates that no figures on positive decisions were included in the DGJAI Report on Asylum and Migration for 2001. ¹⁰ Information on changes of status is considered as potentially available when historical data on permits of stay is stored in the residence permits database. That is not the case when it exists different databases (for instance when long-term visas issued abroad are not stored in the main database).

¹¹ Countries in which permits of stay are issued abroad are considered in this column. Long stay-visas are those which the length of validity is longer than 3 months and so replacing a residence permit as such.

¹² Long-term residents are defined as persons having stayed at least 5 years in the country. This statistics is potentially available when the residence permits database contains an information fixing the date of arrival or the date of the issue of the first residence permit. It could be also provided through population register. Denmark, the United Kingdom and Ireland are not concerned by the directive on long term residents. For Denmark data may be supplied from population register.

¹³ expired permits included

¹⁴ In Estonia every change of reason for stay is considered as a new (first) residence permit. This is why the number of residence permit may be bigger than number of actual immigrants.

SE	Y*	N	Y	n.a.	[Y]	Y	Y	Y	N	N
UK	N	N	N	Y***	N	N	Y	Y	N	N

 $[\]dagger$ [Y] means that the information is only potentially available

^{*} The figure found in the DGJAI report probably refers to total annual positive decisions (no distinction is made between first and renewed permits issued)

^{**} Residence permits under renewal are erased from the database, so there is a risk of confusion between first and renewed permits

^{***} Although the permit to stay has been issued abroad, the number of permit issued is thought to correspond with the number of people who have actually entered the country (since the effective entry is checked) n.a. not applicable