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Published in:
Recognition of foreign administrative acts

2016

Document Version:
Peer reviewed version (aka post-print)

The Recognition of Foreign Administrative Decisions in Sweden

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1 Introduction

The process of internationalisation of legal relations influences also Swedish administrative law. One part of this development is the growing importance of rules and principles on recognition of foreign administrative decisions. This mechanism means that administrative decisions issued by foreign public bodies are treated as valid in the Swedish legal system.[1] Occassionally, Swedish law unilaterally calls for recognition of foreign decisions. However, in most cases, the recognition duties follow from reciprocal arrangements under EU law or public international law.[2] A special element in the Swedish context is the Nordic cooperation with Denmark, Finland, Iceland, and Norway. Within this structure for cooperation on different political and administrative levels, there are examples of recognition duties between the involved countries.[3]

This contribution describes some basic features of the procedure relating to the recognition of foreign administrative decisions under Swedish law.[4] After some comments on the general legal and theoretical framework relating to administrative decisions in Swedish law (part 2), the article discusses the preconditions for service of documents, including international aspects

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[1] See Wenander, 2013, p. 47 f., 62 ff.

[2] See Wenander, 2011, p. 763.

[3] See examples in Wenander, 2011, p. 762 ff.

[4] The basic outline of this contribution roughly follows the questionnaire for the country report on Sweden for the 19th International Congress of Comparative Law, Vienna 2014, Topic IV D., Administrative law, which also forms the basis for the article.

(part 3). The subsequent section (part 4) discusses matters of validity, efficacy, and enforcement in relation to foreign administrative decisions. Thereafter, special attention is given the impact of EU law and international conventions (part 5 and 6). In part 7, the development of doctrinal treatment of matters relating to recognition of foreign administrative decisions is described. Some general comments conclude the article (part 8).

2 Administrative Decisions in Swedish Law

To understand the recognition of foreign administrative decisions in Swedish law, it is necessary to touch upon the Swedish legal understanding of administrative decisions in general. Below, some fundamental matters relating to the terminology, the procedure for adopting administrative decisions, and their enforcement of decisions are outlined. Especially, the importance of these rules and principles for foreign administrative decisions is highlighted.

2.1 Terminology

Swedish administrative law scholarship by an administrative decision (*förvaltningsbeslut*) understands a pronouncement by a public body with the purpose of affecting existing conditions.[5] Under the influence of Scandinavian legal realism, this term has replaced the previously used term administrative act (*förvaltningsakt*) since the 1970s.[6]

Concerning the classification of a decision as domestic or foreign, the difference between a national administrative decision and a foreign one is the affiliation of the administrative body issuing the decision: if that body is part of the Swedish public sector, it qualifies as a Swedish administrative decision. If a decision categorised as administrative has been issued by a public body of another state, that decision should be seen as foreign.[7] In difference to certain foreign

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[5] See Ragnemalm 1991, p. 216 ff.

[6] See *e.g.*, Strömberg and Lundell, 2011, pp. 59–66.

[7] See Wenander 2010, p. 25 ff.

legal systems, Swedish legal scholarship has not used the terms international, supranational or global administrative act. Neither has the concept of transnational administrative act been established in Swedish law. Rather, phenomena described through these terms have been seen as situations of recognition of foreign administrative decisions.[8]

2.2 Adoption

The general procedure for adopting administrative decisions is regulated in the Administrative Procedure Act.[9] However, if there are provisions in other acts of law or governmental ordinances, they take precedence to the rules of the Administrative Procedure Act.[10] The provisions of this act of law give certain rights to affected parties to have insight into the documents in the administrative matter and to be informed on the development of the matter through communication by the administrative authority.[11] Furthermore, persons adversely affected by an administrative decision are entitled to appeal decisions, provided that these decisions as such are considered appealable.[12] Through the requirements of judicial review under Art. 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the possibility of judicial review of administrative decisionshas been expanded. For the most part, this review is carried out by administrative courts.[13]

When it comes to the role of foreign administrative bodies in the administrative procedure, there are no general rules in Swedish legislation. In some situations, a foreign administrative

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[8] See for a discussion on this term Wenander, 2010, p. 21.

[9] Förvaltningslag (Administrative Procedure Act), *SFS [Svensk författningssamling – Swedish Code of Statutes*] 1986:223. More important pieces of legislation in Sweden are published in unofficial English translations on the Internet site of the Government Offices, see <http://www.government.se> (accessed 1.10.2014).

[10] Sec. 3 of the Administrative Procedure Act.

[11] Secs. 16 and 17 of the Administrative Procedure Act.

[12] Sec. 22 of the Administrative Procedure Act; Ragnemalm, 1991, p. 215 ff.

[13] See Secs. 3 and 22 a of the Administrative Procedure Act; Lag om den europeiska konventionen angående skydd för de mänskliga rättigheterna och de grundläggande friheterna [Act on the European Convention for the Protection of Human Rights and Fundamental Freedoms], *SFS* 1994:1219; Lavin and Malmberg 2010, p. 80 ff.

body may initiate an administrative matter in Sweden. This applies to matters involving recognition of burdensome foreign decisions. In such situations, the foreign administrative body should be entitled to act as a party to the procedure, for example to appeal a decision. Also in other situations, a foreign administrative body may be allowed to intervene as a party to an administrative matter. The principles of sovereignty and state immunity under public international law would not seem to limit these possibilities under Swedish law.[14] In general, also interested persons, who are not parties to the proceedings, should have a possibility to give their view on the matter.[15] Naturally, however, it is for the administrative authority to decide to what extent such opinions should be taken into account. This also applies to foreign public authorities. Furthermore, a Swedish authority may of its own motion refer an issue to a foreign authority for views, for example concerning administrative matters relating to border regions.[16]

In some instances, there are special statutory rules on the position of foreign administrative authorities in administrative proceedings. In this way, environmental authorities of other Nordic countries (Denmark, Finland, Iceland, and Norway) may intervene and take other forms of action in environmental matters before Swedish authorities.[17] A similar arrangement is found in the border river cooperation between Sweden and Finland.[18]

As to the taking of evidence, there are special provisions in legislation transforming international agreements into Swedish law.[19] It could be questioned, if there is a need for EU

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[14] See Wenander, 2010, pp. 252 ff. and 298.

[15] See Ragnemalm, 1991, p.168 ff.

[16] Cf. on reference for views between (Swedish) authorities Sec. 13 of the Administrative Procedure Act.

[17] See Art. 4 of the Nordic Environmental Protection Convention, Stockholm 19.2.1974, 1092 *UNTS* 279, incorporated into Swedish law through *SFS* 1974:268.

[18] See Arts. 17 and 18 of the Agreement between Finland and Sweden concerning Frontier Rivers, Stockholm 11.11.2009, incorporated into Swedish law through *SFS* 2010:897.

[19] See Lag om internationell rättslig hjälp i brottmål [Act on International Legal Assistance in Criminal Matters], *SFS* 2000:562.

rules on this matter. However, this question primarily relates to criminal law. It is thus beyond the scope of this contribution on the recognition of foreign administrative decisions.

2.3 Enforcement

There are no generally applicable rules as to when Swedish administrative decisions are effective, in the sense that they may legally be enforced by an administrative body. Legal scholarship has identified two main aspects of this matter, which is only partially regulated in legislation. First, it is normally considered that the individual affected by a decision should be notified of it, before it can be enforced against him or her. Second, in some situations, the time of appeal of the decision must have expired, in order not to make the possibility of appeal illusory. However, in other situations, the urgency of the matter may call for rapid enforcement of a decision.[20] Concerning the recognition of foreign administrative decisions, a third aspect should be considered, namely if the foreign decision is enforceable in the legal system where it was issued. Normally, this should be required, since the foreign decision should not have more far-reaching effects in Sweden as a recognising state than in the issuing state.[21]

The enforcement measures include using the threat of punishment. Furthermore, the competent authority may impose a conditional fine (*vite*) as a means of bringing pressure to bear on a person. In some situations there is also the possibility of actually carrying out enforcement measures by force, for example removing a building or expelling a foreigner who does not have the right to remain in the country. Enforcement measures by force are normally carried out by the Swedish Enforcement Authority (*Kronofogdemyndigheten*) or the police on request by the relevant administrative body. Decisions on enforcement of conditional fines have to be made by a court. In other situations, the individual affected may appeal the enforcement decision to a court.[22]

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[20] See Ragnemalm, 1991, p. 220 ff.

[21] See Wenander 2010, p. 302 ff.

[22] See Ragnemalm, 1991, p. 205 f.

3 Service of Documents

The service of administrative decisions and other official documents in general is regulated in the Act on Service of Documents.[23] Under the act, several forms of service are possible, such as service by mail, personal service, or service by publication (*e.g.*, in local newspapers). The choice of form of service shall depend on the character of the documents and the administrative matter concerned. In this way, it is thought, the authorities may choose the most convenient form of service without jeopardising the interests of legal certainty of the individual. Concerning service of documents in other countries, Sweden has acceded to various international agreements. However, these agreements do not explicitly cover administrative matters. Sweden is not a party to the European Convention on the Service Abroad of Documents relating to Administrative Matters. The Act on Service of Documents has recently been amended concerning international aspects relating also to administrative law. The new provisions clarify that the general framework of the Act on Service of Documents may be used also for service abroad, provided that the foreign state allows for this.

Service of documents on the request of other states may also take place. If the documents are in another language than Swedish or a language stipulated in an international agreement binding to Sweden, the consent of the recipient is required, unless it is clear that he or she understands the other language.[24] In the view of the Government, the amendments of the act will be sufficient for international cooperation on service of documents in administrative matters. However, as is acknowledged by the Government in the *travaux préparatoires*, a problem might be that the foreign state in the absence of an international agreement with Sweden does not wish to cooperate.[25] A Swedish accession to the European Convention on the Service Abroad of Documents relating to Administrative Matters, or other forms of European cooperation in this field, could therefore simplify international cooperation in this field.

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[23] Delgivningslag [Act on Service of Documents], *SFS* 2010:1932.

[24] See Secs. 3 and 4 a of the Act on Service of Documents.

[25] See Prop. [Proposition – Government Bill] 2012/13:182 *Internationell delgivning* [International Service of Documents], p. 22 ff.

4 Validity, Efficacy and Enforceability

There is no general legislation on matters relating to the validity, efficacy and enforceability of foreign administrative acts. In some instances, applicable rules are found in sectorial legislation. To a large extent, the position of foreign administrative acts in general is unclear. The academic writing in the field has sought to establish general principles (see below section 7). It would probably be very difficult to generally regulate recognition of foreign administrative decision in an international agreement. In administrative law, already on the national level the variations between specialised fields present challenges to attempts of general legislation. This is the reason that the Swedish Administrative Procedure Act is formulated in very broad terms.[26] The international dimension makes such endeavours even more difficult. Not least, the definition of what constitutes administrative matters and decisions may vary considerably.[27] Also, the differences between the administrative systems, and perhaps diverging views on what constitutes problems, make an international agreement unlikely. It is doubtful if it is necessary to try to reach such an agreement.

In many instances, it would be the individual who requests recognition of a Swedish administrative decision in a foreign country or *vice versa*, for example concerning academic qualifications. In situations of a public authority initiating an administrative matter concerning recognition abroad, the competence varies dependent on the field of law. The competent authorities for requesting recognition and execution of administrative decisions in other countries vary depending on the legal field. The same applies to the question of competent authorities for receiving such requests.[28]

Concerning formal requirements for an administrative decision to be effective and enforceable within Swedish law, there are very few general requirements. Naturally, a decision must emanate from a competent authority and a public official acting within his or her competence.

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[26] See Ragnemalm, 1991, p. 155.

[27] Cf. Loebenstein, 1972, pp. 18–36; Schwarze, 2006, p. 11 ff.

[28] See further Wenander, 2011, p. 778.

Furthermore, the individual affected must normally be notified of the administrative proceedings. Important errors in a decision in those respects may lead to it being viewed as a nullity.[29] Much in the same fashion, foreign administrative decisions, which otherwise should be recognised in Sweden, may be erroneous in relation to European or international law to an extent that they should be considered nullities. This view is also supported by the case-law of the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR). However, errors in relation to the domestic law of the state issuing the decision should not have nullity as a consequence.[30]

The confirmation of authenticity of administrative decisions has not been a major concern in Swedish administrative law. Consequently, there is no requirement of authentication of foreign administrative decisions.[31] This might be explained by the high degree of openness in the Swedish administration; if someone is uncertain as to the authenticity of an official document, he or she may turn to the authority and have access to the decision. the Swedish constitution bases on a principle of public access to official documents, where confidentiality is an exception subject to limitations in the Freedom of the Press Act, one of the fundamental laws of Sweden.[32] Furthermore, for every decision in an administrative matter, there must be a document stating the date and content of the decision, the deciding official, and other officials involved in the final proceeding of the matter.[33] The notarial traditions in continental Europe of authentication of documents are unknown to Swedish law.[34] The authenticity of a foreign administrative decision is assessed in the legal context where it is invoked. This means for

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[29] See Ragnemalm, 1991, p. 207 f.

[30] See Wenander, 2011, p. 776; see, *e.g.*, C-5/94 *Hedley Lomas* [1996] *ECR* I-2553 para. 20; *Pellegrini v. Italy*, No. 30882/96, *ECHR* 2001-VIII paras. 40 and 47.

[31] See Berglund 1999, p. 40.

[32] See Ch. 2 of the Tryckfrihetsförordning [Freedom of the Press Act], *SFS* 1949:105; Offentlighets- och sekretesslag (Public Access to Information and Secrecy Act), *SFS* 2009:400; see further Nergelius, 2010, p. 58.

[33] Sec. 21 of the Myndighetsförordning (Government Agencies ordinance), *SFS* 2007:515.

[34] See, concerning private law, the contribution by Hans-Heinrich Vogel on Sweden in Council of the Notariats of the European Union, 2008.

example that the authenticity of a foreign driving license may be assessed in a criminal proceeding, according to the rules on evidence and burden of proof applicable in such proceedings. A Swedish authority may request the individual invoking a foreign decision to verify that this decision is authentic.[35] Importantly, however, Swedish authorities may also contact the alleged issuing foreign authority to ascertain that a foreign decision is authentic. Already now, EU law calls for direct contacts between national authorities in order to clarify matters, among other things in such situations.[36] Possibly, the EU legislator could act in order to make national administrations more aware of this duty.

Concerning requirements on the substance of foreign administrative decisions, the point of departure must be that recognition duties shall be followed. Also foreign decisions that are questionable should be recognised. However, in situations of obvious errors in relation to substantial EU law or international conventions, the foreign decision may be disregarded. This view reflects the case-law of the CJEU. It might be added that substantial errors in relation to Swedish law should not be considered a valid reason for disregarding a foreign decision, which otherwise should have been recognised. However, if the foreign administrative decision bases on a violation of fundamental rights, both Swedish constitutional requirements and the ECHR, may call for the foreign administrative decision not being recognised.[37]

The international competence of the state issuing the administrative decision should be assessed in accordance with the rules and principles of public international law and EU law. If a foreign decision, which should otherwise be recognised, is issued without a sufficient link to the person affected, that decision may be set aside. Here, discussions on circumvention of law (*fraude à la loi*) in parallel to principles in private international law may be relevant. Furthermore, in situations of unlawful occupation, administrative decisions enforcing the occupation may be disregarded. After World War II, Soviet Union decisions on Soviet

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[35] See Berglund, 1999, p. 40.

[36] See Wenander, 2010, p. 262 ff.; Wenander 2011, p. 778 f.; Art. 4(3) of the Treaty on European Union.

[37] See Wenander, 2010, p. 213 ff. (public international law) and 215 ff. (EU law); Wenander, 2011, p. 775 ff.

citizenship for inhabitants of the occupied Baltic countries in some cases were not recognised in Swedish law.[38]

Public order as a limiting factor for the effect of domestic decisions has not been a central topic in Swedish administrative law. In analogy with private international law, public order or *ordre public* may occasionally be relevant. The legal framework for *ordre public* assessments is, however, uncertain.[39] The concept of public order could be clarified if it was linked to the fundamental aims of public activity laid down in the central constitutional act.[40] As far as known to this author, there is no court ruling in the administrative field concerning public order as a limiting factor for foreign administrative decisions. When it comes to burdensome foreign decisions, such as penalties of different kinds, it is especially important that the *ordre public* mechanism is used, if so needed. This might for example be the case if the foreign decision bases on racial discrimination.[41]

Concerning the performance of foreign administrative decisions, Swedish administrative authorities always apply Swedish administrative law, also when enforcing foreign decisions or supervising activities basing on foreign decisions. Also legal persons may be liable for administrative penalties such as sanction fees or conditional fines.[42]

The requirements under Swedish law for execution of a foreign administrative decision have been touched upon above in relation to the efficacy and enforceability of foreign decisions, and in relation to formal and material requirements.

The procedure for recognition and execution of foreign administrative acts is to a large extent sector-specific. In many instances, the Swedish Enforcement Authority (*Kronofogdemyndigheten*) is responsible for enforcing administrative decisions by coercive

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[38] See Wenander, 2010, p. 209 ff.; Wenander 2011, p. 778; Swedish Supreme Court Cases *NJA* 1948 p. 805 and 1949 p. 82.

[39] See Wenander, 2010, p. 231; Wenander 2011, p. 776.

[40] See Ch. 1, Art. 2 of the Regeringsform [Instrument of Government], *SFS* 1974:152.

[41] See Wenander, 2010, p. 232.

[42] See Ragnemalm, 1991, p. 203 f.

means. This applies for example to the collection of unpaid taxes or other public claims. Given the close relationship of such issues to the administrative structure of the public sector of a state, it is natural that the procedures are decided on the national level. In EU law, the principle of procedural autonomy bases on this kind of reasoning.

In general, the rules and principles under private international law to a large extent have served as references for the scholarly development of international administrative law in Sweden, including matters of recognition and execution. However, private international law models might not always be suitable for recognition of administrative decisions. An important aspect in international administrative law is the cross-border cooperation between authorities in the adoption of rules, decision-making, and establishment of *best practices*. This for example means that legal problems in individual cases could be solved in cooperation between national authorities in different countries. In this way, the establishment of administrative networks is a central feature to today's international administrative law. This kind of solution seems to be rather rare in private international law.

5 EU Law

EU law is central to the recognition of foreign administrative decisions. Although there are examples of recognition duties based on international conventions or Swedish law, the majority of recognition duties are found in EU law.

Already the treaty provisions on free movement and equal treatment imply recognition duties. Especially, the principle of mutual recognition established in the case-law of the CJEU is important in this context. Furthermore, secondary law concretises those rules and principles concerning a duty to recognise favourable decisions from other member states. Although much rarer, there are also examples of duties under secondary EU law to recognise burdensome decisions.[43]

[43] See Wenander, 2013, p. 63 f.

An example of EU secondary legislation related to recognition is found in Council framework decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties. In Swedish law, this framework decision is implemented through the Act on recognition and enforcement of fines within the European Union.[44] Under the act, the Swedish Enforcement Authority shall consider if a decision on a fine should be sent to another member state with a request for recognition and enforcement there. Such a request may be sent if it corresponds with the provisions of framework decision 2005/214/JHA and it could bring advantages for the enforcement of the fine (Ch. 2, Sec. 1 of the act).

6 International Conventions

Sweden is a party to several international conventions related to the recognition and execution of administrative decisions in various fields.[45] Some such conventions have been prepared in Nordic cooperation between Sweden, Denmark, Finland, Iceland and Norway.[46] There are international and Nordic convention rules on recognition of foreign administrative decisions concerning citizenship[47], higher education[48], transport[49], and international trade[50].

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[44] Lag om erkännande och verkställighet av bötesstraff inom Europeiska unionen (Act on recognition and enforcement of fines within the European Union), *SFS* 2009:1427.

[45] See Wenander, 2011, p. 765 f.

[46] See on Nordic legal and administrative cooperation within the framework of the Nordic Council, the Nordic Council of Ministers and other bodies, see Wenander, 2014, pp. 16-36.

[47] See Art. 1 of the Convention on Certain Questions Relating to the Conflict of Nationality, The Hague 12.4.1930, 179 *LNTS* 89; Art. 3(1) of the European Convention on Nationality, Strasbourg 6.11.1997, *CETS* 166.

[48] Agreement between Denmark, Finland, Iceland, Norway and Sweden on the Access to Higher Education, Copenhagen 3.9.1996, 1984 *UNTS* 27; Arts. IV-VI Convention on the Recognition of Qualifications concerning Higher Education in the European Region, Lisbon, 11.4.1997, *CETS* 165.

[49] Art. 24 of the Convention on Road Traffic, Geneva 19.9.1949, 125 UNTS 3; Art. 41 of the Convention on Road Traffic, Vienna, 8.11.1968,1042 *UNTS* 17; Art. 1 of the Nordic Agreement on Recognition of Driving Permits and Vehicle Registration, Mariehamn 12.11.1985, 1600 *UNTS* 265; Art. 33 of the Convention on International Civil Aviation, Chicago, 7.12.1944, 15 *UNTS* 295.

Concerning matters of legalisation and similar procedures, Sweden has signed and ratified the European Convention on Diplomatic and Consular Instruments.[51] She is also a party to the Apostille Convention.[52] Swedish law does not require the legalisation of foreign public documents in the field of administrative law.[53] Depending on the character of the document and the administrative matter, the individual may be asked to provide a translation into Swedish of a foreign decision invoked in Swedish proceedings.[54]

Matters relating to legalisation for use in foreign countries are handled by the Ministry for Foreign Affairs and Swedish embassies abroad. In some situations a *notarius publicus* [Notary Public] must certify a document before it is legalised. Only a Notary Public has the competence to issue apostilles.[55] There is no e-apostille procedure.

7 Doctrinal Treatment

Over the last decade, the internationalisation of Swedish administrative law has attracted growing attention in legal scholarship. The recognition of foreign administrative decisions has been a special point of interest in this line of research. Especially, docent (reader) Vilhelm Persson and the present author, both from Lund University, have been active in this field.

A pioneering work is (Persson, 2005). This book explores the legal framework for co-operation with foreign administrative authorities, including certain aspects of recognition of

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[50] Art. 4 of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) within the WTO framework.

[51] European Convention on the Abolition of Legalisation of Documents executed by Diplomatic Agents or Consular Officers, London, 7.6.1968, *CETS* 63, *SÖ [Sveriges internationella överenskommelser – Sweden's International Agreements*] 1973:60.

[52] Convention Abolishing the Requirement of Legalisation for Foreign Public Documents, the Hague, 5.10.1961, *SÖ* 1999:1.

[53] See Wenander, 2010, p. 266; Berglund, 1999, p. 31-41.

[54] See Secs. 4 (service duty) and 8 (the right to interpretation and translation) of the Administrative Procedure Act; cf. the Language Act (Språklag), 2009:600.

[55] See the practical information on legalisation and apostille provided on the web page of the Swedish Government Offices, <http://www.government.se> (accessed 1.10.2014).

foreign administrative decisions. The topic of recognition is dealt with more in-depth in the specialised study (Wenander, 2010). Certain matters dealt with in this work are also dealt with in an international perspective in (Wenander, 2011). In (Wenander, 2013) the recognition of foreign decisions is discussed as one of several means for international cooperation in administrative law. The latter publication is part of an anthology edited by scholars from Uppsala University (Lind and Reichel, 2013) on the internationalisation of administrative law. This anthology may be seen as an indication of an increased Swedish research interest in international aspects of administrative law, including recognition of foreign decisions.

8 Concluding Remarks

In this final section some general remarks are made on the legal framework for recognition foreign administrative decisions in Swedish law as described in the preceding sections. Below, certain characteristic features of the administrative procedure, the role of EU law and international conventions, and the doctrinal treatment are summarised.

Concerning the administrative procedure, the recognition of foreign administrative decisions may be seen as integrated in the general legal structures for administrative law. There are no general rules applicable to the procedures for recognition. Instead, such matters will have to be dealt with under the general administrative law principles, the rules of the Administrative Procedures Act, and rules found in special legislation (section 2). Of course, directly and indirectly applicable EU legislation as well as international conventions are important in this context. For example, it has been noted above that a Swedish accession to the European Convention on the Service Abroad of Documents relating to Administrative Matters might simplify international cooperation in administrative law (section 3).

As has been put forward above (section 4), the wide range of topics covered by administrative law probably would make it difficult to adopt general international conventions on recognition of foreign administrative decisions. Presumably, the same kind of difficulties would arise in relation to general national administrative legislation in this field. There are no indications that such legislation would be necessary at the present stage of development.

Furthermore, it has been noted that the procedure for recognition of foreign administrative decisions does not normally involve authentication measures by notaries or similar official bodies (section 4). The Swedish legislation does not require the use of legalisation or apostille for foreign decisions to take legal effects in Sweden.

The phenomenon of recognition of foreign administrative decisions is to a great degree is linked to the Swedish membership of the European union. The bulk of recognition regimes are found in EU law, including the treaty provisions on free movement (section 5). As has been mentioned (section 6), however, recognition duties to some extent also follow from international agreements, including ones entered within the framework of Nordic cooperation.

As stated above (section 7), there have been a number of studies on the internationalisation of administrative law in Sweden, including matters relating to recognition of foreign administrative decisions. Although this line of research has been limited to a small research environment, there are indications that there now is a greater interest in the wider Swedish legal research community.

To conclude, the legal mechanism of recognition of foreign administrative decisions is today an well-established feature of Swedish administrative law. As stated at the outset, it constitutes an important example of the internationalisation of administrative law. It is plausible that the development of this legal mechanism will continue in legislation, case law, and legal doctrine.

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