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2014-01-07

To whom it may concern

Regarding Swedish citizenship and passport

This letter is provided in reference to July 9, 2012 instructions from the Indian Ministry of Home affairs to the Indian Ministry of External Affairs in MEA ref. F. No. 25022/74/2011-F.I. The referenced letter stipulates that "a letter from the Embassy of the foreign country in India or the Foreign Ministry of the foreign country should be enclosed with the Visa application stating clearly that (a) the country recognizes surrogacy and (b) the child/children to be born to the commissioning couple through the Indian surrogate mother will be permitted entry into their country as a biological child/children of the couple commissioning surrogacy".

In Sweden, there is no national law regulation surrogacy. There is no law that prohibits the recognition of children born abroad through surrogacy. A child of a Swedish father can get a Swedish citizenship under section 5 of The Act on Swedish Citizenship

Section 5

A child that was born abroad and has not acquired Swedish citizenship under Sections 1 or 4, but whose father has held Swedish citizenship since the birth of the child, acquires Swedish citizenship on notification by the father of the desire to that effect before the child reaches the age of eighteen. The provisions concerning a father also apply to a parent under Chapter 1, Section 9 of the Children and Parents Code. If the child has reached the age of twelve and holds foreign citizenship, the child is required to give its consent in order to acquire Swedish citizenship. Consent is not required, however, if the child is prevented from giving his or her consent due to a long-term impediment such as a mental disorder or similar. The child's guardian or guardians must consent to the acquisition of Swedish citizenship.

After the child has got the citizenship the child can get a Swedish passport for traveling to Sweden.

Best regards

Bo Lundberg

Expert

The Swedish Migration Board