



**International Human Rights
Instruments**

Distr.: General
2 September 2011

Original: English

**Core document forming part of the reports of
States parties**

Sweden^{*}, ^{}**

[7 June 2011]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

** Annexes can be consulted in the files of the Secretariat.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. General information	1–56	3
A. Demographic, economic, social and cultural characteristics	1–23	3
B. Constitutional, political and legal structure	24–56	9
II. General framework for the protection and promotion of human rights	57–110	16
C. Acceptance of international human rights	57–64	16
D. Legal framework for the protection of human rights at national level	65–86	18
E. Framework within which human rights are promoted at the national level....	88–107	22
F. Reporting process at the national level.....	108–110	28
G. Other related human rights information	111	29
III. Information on non-discrimination and equality and effective remedies.....	112–136	29

The purpose of this core document is to assist the treaty bodies in understanding the situation in Sweden. The document contains information of both a general and factual nature relating to the implementation of the treaties to which Sweden is party, and which may be of relevance to all, or several, treaty bodies.

I. General information

A. Demographic, economic, social and cultural characteristics

1. Human rights and fundamental freedoms have been protected under Swedish law since about 1350. Swedish parliamentarianism began to evolve in the nineteenth century, when political power started to be transferred from the monarch to the parliament. Universal suffrage was introduced in 1909 for men, and in 1921 for women.

2. The principle of separation of political power between the executive and the legislative organs of State was laid down in the Instrument of Government of 1809. Today, fundamental rights and freedoms are protected by the Instrument of Government of 1974 (please also refer to Chapter 2 D), which is one of four fundamental laws of Sweden, and often referred to as the Constitution. There is no separate bill of rights. Instead, the Instrument of Government provides protection for civil, political, social, economic and cultural rights. Freedom of the press and freedom of expression in other media are protected by two separate fundamental laws, the Freedom of the Press Act and the Fundamental Law on Freedom of Expression. The fourth fundamental law is the Act of Succession. The Riksdag Act occupies an intermediate position between a fundamental law and ordinary law. It contains rules regarding the work procedures of the Riksdag, the Swedish parliament. Until 1974 the Riksdag Act was a fundamental law, but as stated it now occupies an intermediate position.

3. Human rights and democracy are fundamental values in Swedish society. Proceeding from these values, the Government is firmly committed to ensuring full respect for human rights in the country.

Population

4. Sweden's population grew by 84 335 persons to 9 340 682 in 2009, thanks to a high level of births and an immigration surplus. Immigration, which reached record levels in 2006, continued to increase in 2009, but at a reduced rate. Among the 102 280 immigrants (49 298 women and 52 982 men), 168 nationalities were represented. Emigration declined by 13 per cent compared to 2008.

5. In 2009, 46 388 women and 43 692 men died, a total of 90 080 persons. Compared with 2008, deaths decreased by 1.5 per cent, which is equivalent to 1 369 persons. During the year, 2.5 children per 1 000 births died before their first birthday. Slightly more boys than girls die during their first year. While boys have a higher mortality rate, slightly more boys are always born. In 2009, 54 237 girls and 57 564 boys were born, a total of 111 801 children. This is an increase of 2 500 children compared to 2008.

6. Trends during the last five years:

- (a) Population is rising as regards both sexes, and there are more women than men;
- (b) The number of inhabitants per square kilometre is rising;
- (c) The number of births is rising, and there are more new born boys than girls;

(d) Fewer people are dying now than five years ago. More women die, but this is natural both because women live to an older age and because there are more women than men;

(e) The number of foreign citizens in Sweden has increased over the last five years.

Population summary

	2009	2008	2007	2006	2005
Population 31 December	9 340 682	9 256 347	9 182 927	9 113 257	9 047 752
Men	4 649 014	4 603 710	4 563 921	4 523 523	4 486 550
Women	4 691 668	4 652 637	4 619 006	4 589 734	4 561 202
Number of people aged 0–17 years	1 921 093	1 924 839	1 931 652	1 933 920	1 934 239
Persons aged 0–17 years in % of total population	20.6	20.8	21.0	21.2	21.4
Number of people 65 – years	1 690 777	1 645 081	1 608 413	1 581 437	1 565 377
Persons 65 – years in % of total population	18.1	17.8	17.5	17.3	17.3
Households					
Average number of residents per household	-	-	-	-	-
Foreigners ¹	602 893	562 124	524 488	491 996	479 899
The proportion of foreign nationals in %	6.5	6.1	5.7	5.4	5.3
Foreign born	1 337 965	1 281 581	1 227 770	1 175 200	1 125 790
The proportion of foreign-born %	14.3	13.8	13.4	12.9	12.4
Foreign-born Swedish citizens	799 876	781 935	764 964	745 711	711 906
Share % of the foreign-born who are Swedish citizens	59.8	61.0	62.3	63.5	63.2
Domestic born with two foreign-born parents	395 948	379 422	364 606	350 977	337 568
The share of foreign origin in % ²	18.6	17.9	17.3	16.7	16.2
Births	111 801	109 301	107 421	105 913	101 346
Birth rate (per 1 000 of mean population)	12.0	11.9	11.7	11.7	11.2
Total fertility rate ³	1.94	1.91	1.88	1.85	1.77
Deaths	90 080	91 449	91 729	91 177	91 710
Death rate (per 1 000 of mean population)	9.7	9.9	10.0	10.0	10.2
Life expectancy men	79.4	79.1	78.94	78.7	78.42
Life expectancy women	83.4	83.2	82.99	82.94	82.78
Infant mortality (per 1 000 live births)	2.49	2.49	2.49	2.8	2.43
Immigration	102 280	101 171	99 485	95 750	65 229

	2009	2008	2007	2006	2005
Immigrants (per 1 000 of population at beginning of year)	11.0	11.0	10.9	10.6	7.2
Emigration	39 240	45 294	45 418	44 908	38 118
Emigrants (per 1 000 of population at beginning of year)	4.2	4.9	5.0	5.0	4.2
Population growth	84 335	73 420	69 670	65 505	36 360
Population growth (per 1 000 of population at beginning of year)	9.1	8.0	7.6	7.2	4.0
Acquired Swedish citizenship	29 525	30 461	33 629	51 239	39 573

Source: Statistics Sweden (SCB).

¹ Persons with dual nationality, one of which is Swedish, are not included.

² In foreign backgrounds are foreign-born and native-born with two foreign-born parents.

³ Since 2004, the estimated total fertility of individual years instead of five, as earlier classes. For more information on the total fertility, see description of the statistics published on Statistics Sweden's website: www.scb.se.

Sweden's population (in age groups) 2005–2009

Year	Age					
	0–19		20–64		65+	
	Women	Men	Women	Men	Women	Men
2005	1 051 572	1 107 584	2 622 756	2 700 463	886 874	678 503
2006	1 056 509	1 112 800	2 641 007	2 721 504	892 218	689 219
2007	1 060 438	1 118 323	2 656 672	2 739 081	901 896	706 517
2008	1 062 411	1 121 399	2 672 980	2 754 476	917 246	727 835
2009	1 064 326	1 123 649	2 690 173	2 771 757	937 169	753 608

Source: SCB Statistics Sweden, Population Programme, Phone: +46 19 17 60 10 Fax: +46 19 17 69 42.

Employment and social situation

7. The share of the population (age 15–74) at work increased gradually from 54.6 per cent in 2005 to 56.5 per cent in 2008. In the aftermath of the economic crisis, however, the entire increase was erased as the share fell to 54.4 per cent. This pattern was general across the labour market. However, the decrease was more pronounced among men than women, following the fact that sectors dominated by men — notably manufacturing — were among the most severely hit by the downturn. Groups that normally experience a more difficult labour market situation, such as youth, were also more severely hit than others. Foreign-born persons were the exception to this rule, since the number of people with employment in this group remained stable throughout the economic downturn. A partial explanation of this phenomenon may be the fact that foreign-born persons are overrepresented — compared to their share of the population — in the services sector, which held up fairly well throughout the downturn. Due to a growing population, however, the employment rate among foreign-born persons fell at an equivalent rate as in other groups. However, during 2010 employment has begun to recover broadly in Sweden, as the overall economic situation has improved. (For a breakdown of employment by economic sector, please refer to Appendix 1.)

8. According to the labour force survey, the trade union affiliation rate among employees decreased from 75.7 per cent in 2005 to 68.4 per cent in 2009. The trade union affiliation rate among employees is about five percentage points higher among men than among women. This relationship has largely remained stable during the past five years.

9. More people are able to earn their own living, but the proportion of people outside both the labour market and the social insurance systems has remained unchanged (3–4 per cent) over the last years. A weak connection to the labour market has a high impact on people's living conditions, for example the risk of illness. Those who are outside the labour market, especially those who have never entered it, also risk not benefitting from the protection provided by social insurance. Social insurance is made up of general benefits and income-based benefits. General benefits provide the same amounts for everyone. Income-based benefits include housing allowance for families with children and for pensioners.

10. The public sector comprises the state, municipalities and county councils. It provides services such as health and medical care, elderly care and education. It also administers benefits to households, such as the child benefit and insurance systems including sickness insurance, unemployment insurance and pensions. Pensions are based on the lifetime earnings principle. The purpose of benefit systems is to achieve a more even distribution of income between households and over time, in order to support, for example, pensioners and families with children. Public sector expenditure is chiefly funded by taxes, social insurance contributions, and to some extent patient fees. Health and medical care, as well as social services, are provided directly by central or local government or by private actors, and are wholly or partly funded and regulated by the state.

11. Long-term poverty (five years or longer) has continued to decrease in all population groups. Furthermore, incomes increased among all groups, although the increase was higher among high-income earners than among those with lower incomes. Therefore, the income gap has increased. (For statistics on living conditions (ULF), indicators, percentage by gender, age, and time period, Gini coefficient, and health and socio-economic indicators, please refer to Appendix 2.)

12. In Sweden, 48 per cent of the population live in the three largest city regions, defined as the three largest cities and their surrounding municipalities from which people commute. During the past decades, the proportion of the population in urban areas has increased. Almost 50 per cent of the population, both in the whole of Sweden and in urban areas, are male, while slightly more than 50 per cent are female. Compared to rural areas, there are more young people in urban areas, and there are more people with higher education. Neither religion, ethnicity nor mother tongue are registered in Sweden, only the country of birth. Foreign-born persons are overrepresented in the urban areas (the three largest city regions). 62 per cent of all foreign-born people live in these areas. Between 15 and 19 per cent of the population in these three regions were born in country other than Sweden, compared to 14 per cent of the total population. However, it is not unusual that over 20 per cent of the population of municipalities within the three regions to have been born abroad. This trend has increased during the last five years.

13. Ethnic residential segregation in the three Swedish metropolitan areas has stabilised after an increase throughout the 1990s. However, the last several years have seen a clear and increasing overlap between ethnic and economic segregation in the metropolitan areas. Young people, single mothers and immigrants, especially new arrivals and those from non-European countries, run a high risk of poverty (incomes below a given standard) and other general welfare problems. Several general welfare problems may occur concurrently, with one common combination being poor health and financial vulnerability. Serious illness often leads to poorer financial conditions, and an increased risk of couples separating. (For statistics on absolute poverty in 1993–2007, please refer to Appendix 3.)

Education

14. Primary and secondary school is compulsory for children aged 7–16 who are considered to be residents of Sweden. All children are supposed to be enrolled. (For statistics on the number of pupils in compulsory education please refer to Appendix 4.) The National Agency for Education (NAE) conducted a study in 2006/07 of long term absence from compulsory education. The agency concluded that out of some 960 000 pupils, approximately 1 600 pupils had been absent for at least one month and 100 pupils had been absent the entire school year (NAE 2008, *Rätten till utbildning/The right to education*). Municipalities and schools are obliged to make sure that all children covered by compulsory education actually attend school.

15. Children who are asylum-seekers have the right to education in primary and secondary school, but it is not compulsory for these children. A targeted government grant is available for municipalities for the education of these children. In December 2010, there were 5 780 children aged 7–17 registered as asylum seekers. According to assessments by the Swedish Migration Board, almost all children are enrolled in school, and exceptions are rare. Parents are encouraged by migration officers to contact the nearest school and, if they consent, the Swedish Migration Board notifies the municipality responsible for providing education. Children residing in the country without a permit do not have the right to education. Schools and municipalities, however, may enrol these children if they so choose. According to a general agreement from 2 March 2011 between the Government and the Swedish Green Party on migration policy, the right to education will be extended.

16. Upper secondary education consists of national vocational programmes, national higher education preparatory programmes, and introduction programmes. For a pupil to apply to a national programme, the minimum requirements are passing grades from compulsory education in Swedish/Swedish as a second language, English, mathematics, at least five other subjects for vocational programmes, and at least nine other subjects for higher education preparatory programmes. Pupils who do not meet these requirements can apply to an introduction programme as a way to transfer to a national programme, or to working life. Upper secondary education structures and the requirements will be revised on 1 July 2011. Under the previous requirements, 11.8 per cent of all pupils did not meet the requirements for a national programme, but had the possibility of applying to an individual programme.

17. The proportion of pupils who complete compulsory school and continue to upper secondary education is presented below.

<i>Year of graduation from compulsory school</i>	<i>Proportion continuing to upper secondary education</i>
2009	99%
2008	99%
2007	99%
2006	98%
2005	98%
2004	98%

Source: National Agency for Education [NAE] database.

18. The proportion of students in upper secondary education completing a 3-year programme within five years is presented below. (Assuming that a student who is unable to finish a 3-year programme within five years has dropped out, these figures could be used as an indication of upper secondary education drop-outs.)

<i>Year of enrolment in USE</i>	<i>Female completed within 5 years</i>	<i>Male completed within 5 years</i>	<i>Total completed within 5 years</i>
Autumn 2004	79.2%	74.1%	76.6%
Autumn 2003	78.7%	73.9%	76.3%
Autumn 2002	78.8%	73.2%	75.9%
Autumn 2001	79.5%	73.5%	76.2%
Autumn 2000	79.0%	73.4%	76.1%

Source: National Agency for Education [NAE] database.

Teacher-student ratio in public funded schools

<i>Number of teachers per 100 pupils in compulsory school</i>				
<i>2005/06</i>	<i>2006/07</i>	<i>2007/08</i>	<i>2008/09</i>	<i>2009/10</i>
8.1	8.3	8.3	8.4	8.2

Source: NAE.

<i>Number of teachers per 100 pupils in upper secondary education</i>				
<i>2005/06</i>	<i>2006/07</i>	<i>2007/08</i>	<i>2008/09</i>	<i>2009/10</i>
8.1	8.1	8.1	8.1	7.9

19. There are no statistics regarding the literacy rate in Sweden. Results from international student assessments, such as the OECD Programme for International Student Assessment (PISA), may serve as an indicator on the literacy rate for pupils in primary education. The PISA is the only international education survey to measure knowledge and skills of 15-year-olds, an age when students in most countries are nearing the end of compulsory school. The results of the reading test are grouped into five proficiency levels. Depending on the context, a possible literacy indicator among 15-year-olds may be the sum of the proportions of pupils belonging to a subset of these levels. At Level 1, students can complete only the simplest reading tasks, suggesting that students below Level 1 have serious problems with their reading skills. Thus the chosen literacy indicator, based on the PISA, is the proportion of students belonging to proficiency Levels 1–5. In the 2003 survey, 3.87% (Std. deviation 0.5%) of Swedish students performed below Level 1. In the 2006 survey, 4.96% (Std. deviation 0.7%) of Swedish students performed below Level 1. According to the 2009 PISA, 6% of the students performed below level 1.

Public finances

20. For an overview of GDP, consumer price index, public sector revenue and expenditure, and central government budget balance, please refer to Appendix 5.

International development cooperation

21. Swedish development policy rests on two pillars, the policy for global development (coherence) and international development cooperation. Two fundamental perspectives guide the design of Sweden's policy for global development; the perspective of poor people on development and the rights perspective. The perspective of poor people on development means that the starting point for poverty reduction, and the promotion of equitable and sustainable global development, is to be the needs, circumstances, interests and priorities of poor women, men and children. The rights perspective centres on human rights, democracy,

gender equality and the rights of the child. Fundamental principles of the rights perspective are non-discrimination, participation, openness and transparency along with the principle of accountability. The perspectives complement and support each other and partially overlap.

22. The coherence policy, or Sweden's policy for global development, means that all policy areas are to work towards a common goal, aiming at equitable and sustainable global development. This policy deals with cross-border issues that have an international impact. The policy for global development requires all policy areas to formulate and implement policies in a way that takes the effects on developing countries into account and makes use of every opportunity to help achieve the objective. Lack of coherence across policy areas poses a risk that measures or decisions in a given sphere will counteract or nullify the Government's attempts, and progress in promoting global development and poverty reduction. A lack of coherence also has consequences for poor countries and people, and can weaken Sweden's and the EU's credibility as global actors.

23. Swedish international development cooperation aims at creating conditions that will enable poor people to improve their lives. Development cooperation focuses on poverty reduction. To reduce poverty as effectively as possible, there must be greater openness and transparency in Swedish development cooperation to pave the way to more successful results. The priorities and policies of partner countries are to form the platform for Sweden's development cooperation. Cooperation is to be demand driven and complement the poverty reduction efforts made by developing countries themselves. These two pillars must work together and support one another in order to achieve results. In addition, there is a special policy for reforms in Eastern and Central Europe. (For statistics concerning Swedish international assistance in 2005–2009, please refer to Appendix 6.)

B. Constitutional, political and legal structure

24. Sweden is a constitutional monarchy with a parliamentary system of government. Swedish democracy is founded on universal and equal suffrage and the free formation of opinion, i.e. on political democracy as a decision-making technique. The monarch — the King or Queen Regent — is Head of State, but has no political power.

25. Sweden is parliamentary democracy. All public power proceeds from the people. The form of government is representative; the people are represented by the Riksdag, the Swedish Parliament, which has legislative power. The Government implements the Riksdag's decisions and drafts proposals for new laws or law amendments. The parliamentary system implies, inter alia, that the government must have the confidence of parliament, or at least be tolerated by parliament. It must always be possible for a parliamentary majority to force a government out of office.

26. The Swedish Constitution — the Instrument of Government of 1974 — is based on the principles of popular sovereignty, representative democracy, parliamentarism, local self-governance and the rule of law. All public power shall be exercised under the law. This not only applies to the courts and administrative authorities, but also to the Government and Riksdag. It applies equally to local and central government.

27. As regards protection of fundamental rights and freedoms, and which is dealt with more in detail in Chapter 2 D, the Instrument of Government gives a central role to such rights and freedoms that are of particular significance to the form of government, i.e. the 'political' freedoms. The aim, in particular, is to guarantee the free formation of opinion in political, religious and cultural matters. However, the rules are also directed towards protecting the individual against, for instance, inhumane punishment and other physical or mental violations which might be employed to harass or coerce.

28. According to the Instrument of Government, the Government governs the Realm. To execute this task, the Government has at its disposal the administrative authorities. The Government decides how the authorities shall be organised and what tasks they shall perform. However, the authorities are independent from the Government, as well as from other public authorities, including the Riksdag, in their decision-making capacity in a particular case relating to the exercise of public authority vis-à-vis a private subject or a local authority, or relating to the application of law. Consequently, in such cases the Government is prohibited from giving directions as to what decision the authority should arrive at in the particular case.

29. The independence of the judiciary is safeguarded by the Instrument of Government. No public authority, including the Riksdag, may determine how a court of law shall adjudicate an individual case, or otherwise apply a rule of law in a particular case. Provisions concerning the functions of the courts relevant to the administration of justice, the principal features of their organisation and court procedure are laid down in law.

Elections

30. The early twentieth century saw a gradual expansion of the electorate. Universal suffrage was introduced in 1909 for men, and in 1921 for women. General elections to the Riksdag, county councils and municipal councils are held every four years. The Riksdag is a unicameral body composed of 349 seats, with deputies elected for a fixed term of four years. 310 of the seats are permanent constituency seats, while the remaining 39 are allocated to ensure greater proportionality to the national distribution of the constituency seats. The electoral method is based on proportionality.

31. The electorate comprises all Swedish citizens aged 18 and above, who are, or have been, resident in Sweden. Apart from Swedish citizens, citizens of the European Union, Norway and Iceland aged 18 and above who are legally resident in Sweden, as well as other foreign nationals who are, and have been, resident in Sweden for more than three years may participate in the elections to county councils and municipal councils. Swedish citizens who may participate in the elections to the Riksdag may also participate in the elections to the European Parliament. Citizens of the European Union residing in Sweden may also participate in the elections to the European Parliament, if they claim such a right and certify that they will not exercise the right to vote or stand for elections in their country of origin.

32. The seats in the Riksdag have traditionally been divided between seven major political parties; Moderata Samlingspartiet (Moderate Coalition Party), Centerpartiet (Centre Party), Folkpartiet Liberalerna (Liberal People's Party), Kristdemokraterna (Christian Democrats), Arbetarpartiet – Socialdemokraterna (Swedish Social Democratic Party), Vänsterpartiet (Left Party) and Miljöpartiet de Gröna (Green Party). In the 2010 elections, Sverigedemokraterna (Sweden Democrats) entered the Riksdag. Formal ballots were printed by the Election Commission for another 31 minor parties; however, none of these parties secured more than 1% of the votes in the 2010 election, the minimum for a party to enter the Riksdag being 4% of the votes. (For share of votes and seats in the Riksdag, please refer to p. 33 and the table below.)

33. Out of the total population, altogether 7 123 651 persons were eligible to vote in the 2010 elections, which makes up approximately 75% of the total population. Approximately 71% of the total population were eligible to vote in the 2006 elections and 76% in the 2009 elections to the European Parliament. A total number of 392 774 foreign nationals were registered to vote in the municipality and county council elections in 2010, and 362 491 in the 2006 elections. The total population of foreign nationals in Sweden was 602 893 in the beginning of 2010 and 491 996 in 2006.

34. Elections to the Riksdag, county councils and municipalities are held in September every fourth year. The voter turnout in the 2010 parliamentary elections was 84.6%. The turnout rate increased from 2006, when 82% of the eligible voters participated. The average turnout in the elections to municipalities was 81.6 % in the 2010 election and 79.4% in the 2006 elections. The average turnout in the elections to the 21 county councils was 81.1% in the 2010 elections and 78.8% in the 2006 elections. (For statistics on the turnout in the two latest elections, please refer to Appendix 7.)

35. Anyone who considers that a mistake, or an error, has been made which has affected the results of an election may appeal within ten days of the election day. Appeals can be submitted to the Election Authority, or to the relevant County Administrative Board. Following the 2006 elections, five appeals were registered in the national elections and 20 appeals in the county council and municipality elections, primarily regarding the conduct of voting and printing of ballots. All appeals were considered unsubstantiated. Following the 2010 elections, 120 appeals were submitted regarding the national elections, and 92 appeals in the county council and municipality elections. All appeals concerning the national elections were considered unsubstantiated. In two cases, the appeals led to re-election on regional and local level. In one case regarding the county elections in Västra Götaland, 16 votes of the Centre Party did not come through to the final count. The second re-election concerns the election to the municipal council in Örebro, where 17 votes by messenger were improperly approved. The Election Authority decided that the re-election would be held on 15 May 2011.

36. The Riksdag has one chamber with 349 seats. In the 2010 elections, the governing coalition, 'The Alliance', secured 173 seats. The coalition thus lost its majority position, having held 178 seats after the 2006 elections. The governing coalition is represented by Moderata Samlingspartiet (Moderate Coalition Party), Centerpartiet (Centre party), Folkpartiet Liberalerna (Liberal People's Party) and Kristdemokraterna (Christian Democrats). The opposition won 156 seats in the 2010 elections, and is comprised of the Arbetarpartiet – Socialdemokraterna (Swedish Social Democratic Party), Vänsterpartiet (Left Party) and Miljöpartiet de Gröna (Green Party). The Sverigedemokraterna (Sweden Democrats) holds 20 seats. Following the 2010, elections the number of female members of parliament is 45% (157 out of 349 seats). Before the latest election, 47% of the seats were held by women.

<i>Name of political party</i>	<i>Share of votes in 2010 election (%)</i>	<i>Seats in the Riksdag in 2010 election</i>	<i>Share of votes in the 2006 election (%)</i>	<i>Seats in the Riksdag in the 2006 election</i>
Moderata Samlingspartiet	30.06	107	26.23	97
Folkpartiet Liberalerna	7.06	24	7.54	28
Centerpartiet	6.56	23	7.88	29
Kristdemokraterna	5.60	19	6.59	24
Arbetarpartiet – Socialdemokraterna	30.66	112	34.99	130
Vänsterpartiet	5.60	19	5.85	22
Miljöpartiet de Gröna	7.34	25	5.24	19
Sverigedemokraterna	5.70	20	2.93	0

Source: Valmyndigheten, Swedish Election Authority.

Media

37. There are seven paid-for daily newspapers with a circulation of more than 100 000 copies. The most widely circulated daily, the evening paper *Aftonbladet* with a circulation of 349 000 copies, is owned by the Norwegian media group Schiebsted (91%) and the Swedish Labour movement (9%). Schiebsted is also the owner of the daily *Svenska Dagbladet*, with a circulation of 196 000 copies. The largest media company in Sweden is Bonnier AB, which is the owner of the daily newspapers *Dagens Nyheter* and *Sydsvenska Dagbladet*, the evening papers *Expressen/GT/Kvällsposten* and *Dagens Industri*, a financial newspaper. These newspapers have a total circulation of more than 700 000 copies. The media company Stampen AB publishes the daily newspaper *Göteborgs Posten*, with a circulation of 235 000 copies, and several local newspapers. Alongside of paid-for newspapers are the free newspapers, such as the free-of-charge daily newspaper *Metro*, owned by MTG – Modern Times Group AB, Sweden’s second largest media company.

38. Among television companies that transmit via terrestrial broadcasts, the public service broadcaster SVT and the private station TV4 — owned by Bonnier AB — have the dominating shares of viewers, SVT 33% and TV4 29%. A minor share of the viewers are held by the private Modern Times Group AB (TV3, TV6, TV8, ZTV), 17%, and ProSiebenSat.1 (Kanal 5, Kanal 9), 9%. Among radio broadcasters, public service radio broadcaster SR has nearly two-thirds of all listeners, while private local radio stations have one third. Almost all private local radio stations are owned either by MTG Radio, or SBS Radio. SBS Radio is part of the ProSiebenSat.1 Group.

Civil society

39. Non-governmental organisations (NGOs) in Sweden are either non-profit associations or registered religious communities. The latter, however, do not have to be registered. There is no general legislation, or general registration requirement, for non-profit associations. The right of every person to initiate, and participate in, any form of association — freedom of association — is a constitutional right. To attain legal capacity, a non-governmental organisation must have a board and rules clearly laying down how decisions are taken, and specifying those who are authorised to represent the association. Minutes kept in accordance with the rules constitute evidence as to the person, or persons, authorised to represent the association. Non-profit associations are subject to rules and regulations like other organisations with legal capacity, in specific acts of legislation, such as tax law and labour law. There are no restrictions on a Swedish NGO receiving funding from abroad, or for non-Swedish citizens to establish, or participate in, Swedish NGOs. In order to be considered a Swedish NGO, the organisation must be based in the country. In accordance with the principles of independence of civil society, non-governmental organisations are not registered by the Government, and there is no record of the total number of recognised organisations. The Government estimates that there are more than 200 000 local, national and regional non-governmental organisations in Sweden.

40. A Policy on Non-Profit Organisations (NPOs) and popular movements was established as a separate policy area in the central government budget for the first time in 2001. The policy has focused on encouraging and supporting people organising themselves in associations and similar groups, and on providing a favourable climate for these organisations to operate and pursue their activities. During the last three years, the Government has focused on investigating and re-defining the roles of NPOs and that of the State through dialogues with the organisations as well as the Swedish Association of Local Authorities and Regions (SALAR). One of the main goals of the Government has been to recognise and empower idea-based organisations, and to contribute to the development of social economy – the organisations should be able to operate on similar conditions as those

of other actors. In this way, the growth of a considerably greater diversity of providers and suppliers of social services can be supported.

41. The dialogues have resulted in agreements within the social sphere, as well as within the sphere of integration, between the Government, the national idea-based organisations and SALAR. The agreements are based on six key principles on which the relationships between the organisations and the State are now built: autonomy and independence, dialogue, quality, continuity, transparency and diversity. An office has been set up to work exclusively with follow-up of the agreements. The office is run by the three parties involved, and is financed by the Government. In 2009, the Government launched the latest Policy for Civil Society. The aim of the policy is to improve conditions for civil society as an essential part of democracy. This is to be done by developing opportunities for civil society to encourage people to be active, strengthening civil society as a collective voice and shaper of public opinion, and by increasing knowledge of civil society. A follow-up of the policy is currently in progress, based on the same principles as those in the agreements mentioned above.

Judiciary

42. The principle of equality before the law and the right to have one's case examined by independent, autonomous and impartial courts are basic preconditions for a well-functioning democracy. The independence of the judiciary in Sweden is safeguarded by the Instrument of Government. Neither the Riksdag, the Government nor any other public authority may determine how a court shall adjudicate a particular case or how a court in other respects shall apply a rule of law in a particular case. Judges may be removed from office only if, by reason of a criminal act or through gross or repeated neglect of their official duties, they have shown themselves to be manifestly unfit to hold office, or if they are under a legal obligation to retire.

43. Courts of law play a central role in protecting the rights of individuals in Sweden. The remedies provided for under the Swedish court system are adopted so as to provide a means to protect human rights. The judicial system consists of general courts and administrative courts. The courts concerned with general matters are the district courts, the courts of appeal and the Supreme Court. There are regional administrative courts, administrative courts of appeal and a Supreme Administrative Court for administrative matters. A number of courts and tribunals have been established to hear cases within specific categories.

44. The Instrument of Government (IG) lays down that a legal dispute between private subjects may not be settled by an authority other than a court except by virtue of law. The IG guarantees that it shall always be possible to have a deprivation of liberty examined by a court without undue delay. With regard to the organisation of the judiciary, the IG makes reference to the Supreme Court and the Supreme Administrative Court, and adds that any other court must be established by virtue of law. Provisions concerning the functions of the courts relating to the administration of justice, the principal features of the organisation of the courts and legal proceedings shall be laid down in an act of law.

45. The number of professional judges sitting in courts per 100 000 inhabitants was 13.9 in 2006 and 11.3 in 2008. In 2006, as well as in 2008, 0.27% of the total annual state public expenditure was allocated to all courts, excluding prosecution and legal aid. However, a new accounting pattern emerged between 2006 and 2008, which makes it difficult to compare budgetary data.

46. Average backlog of cases per judge at different levels of the judicial system, 2005–2009 (average number of cases adjudicated per judge within brackets in table below).

	2005	2006	2007	2008	2009
The Supreme Court	74 (279)	68 (319)	75 (336)	82 (326)	88 (370)
Courts of Appeal	31 (103)	32 (106)	30 (96)	26 (98)	23 (96)
District Courts	110 (220)	108 (222)	109 (224)	105 (237)	112 (251)
The Supreme Administrative Court	377 (379)	439 (387)	368 (511)	257 (545)	160 (532)
Administrative Courts of Appeal	120 (215)	88 (168)	80 (158)	75 (166)	68 (157)
Administrative Courts	213 (497)	171 (391)	151 (380)	107 (371)	126 (328)

Note: Non-permanent judges, who adjudicate cases independently, are included above.

47. Relatively few people are detained while awaiting trial in Sweden. A number of those detained with restrictions would not be detained at all if there was no ground for restrictions. Furthermore, Sweden has relatively short detention periods.

(For statistics and indicators on crime, please refer to Appendix 8.)

48. If a suspect under arrest or detained so requests, a public defence counsel shall be appointed for him or her. A public defence counsel shall also be appointed upon request for a person who is suspected of an offence to which a less severe sentence than six months imprisonment is not prescribed. A public defence counsel shall also be appointed if a defence counsel is needed by the suspect in connection with the inquiry into the offence, if a defence counsel is needed in view of doubt concerning which sanction shall be chosen and there is reason to impose a sentence for a sanction other than a fine or conditional sentence or such sanctions linked together, or if there are otherwise special reasons relating to the personal circumstances of the suspect or the subject of the case. Initially, the State will pay the costs of the public defence counsel. If the defendant or suspect is acquitted, he or she will not need to repay anything. If he or she is sentenced, he or she will, depending upon income, normally be liable to pay all or part of the State's costs. The number of public defence counsels appointed has increased from 66 334 in 2004 to 76 818 in 2008. There are no statistics on how many applications for public defence counsel are rejected, and thus the proportion of applicants who are granted a public defence counsel is not available.

49. Victims of crime may be entitled to compensation/damages from the perpetrator according to the Tort Liability Act. Furthermore, in cases where no perpetrator can be identified, or where he or she does not have the possibility to pay damages, victims of crime in general have a possibility to apply for state compensation. The state compensation scheme is subsidiary to any compensation that the victim may obtain from the perpetrator (should his or her identity be known) or under any insurance policy. State compensation is regulated in the Criminal Injuries Compensation Act. The Crime Victim Compensation and Support Authority is responsible for processing applications under the Criminal Injuries Compensation Act. Compensation is primarily paid for personal injury, which includes both physical and psychological injury. Compensation may also be paid for the violation of personal integrity suffered by the victim.

In 2009, the Crime Victim Compensation and Support Authority decided on 11 111 applications for state compensation and a total of SEK 119 730 000 was paid to applicants.

In 2008, the Crime Victim Compensation and Support Authority decided on 10 895 applications for state compensation and a total of SEK 113 584 000 was paid to applicants.

In 2007, the Crime Victim Compensation and Support Authority decided on 10 959 applications for state compensation and a total of SEK 116 672 000 was paid to applicants.

In 2006, the Crime Victim Compensation and Support Authority decided on 11 374 applications for state compensation and a total of SEK 105 285 000 was paid to applicants.

In 2005, the Crime Victim Compensation and Support Authority decided on 9 990 applications for state compensation and a total of SEK 87 702 000 was paid to applicants.

As from 2011, it will be possible to get statistics on the amount and proportion of state compensation paid out to applicants/victims by type of crime.

50. The number of police officers per 100 000 persons in Sweden has increased from 194 in 2006 to 220 in 2010. The share of public expenditure on the police authority has, during that same period, increased from 2.13% to 2.49%. For the judiciary, the share of public expenditure has increased from 3.78% in 2006 to 4.45% in 2010. The number of prosecutors per 100 000 inhabitants was 9.5 in 2009. This number has increased from 8.5 in 2005.

51. The Swedish National Council for Crime Prevention (Brå) produces information and distributes knowledge about criminality and crime prevention work. Brå produces the official crime statistics, evaluates reforms, conducts research and supports local crime prevention work. For example, the Swedish Crime Barometer is produced by Brå every month. It comprises incidents that have been reported and registered as crimes by the police, customs and public prosecutors in Sweden. This means that reported incidents which, after a completed investigation, prove not to be a crime, or where a crime cannot be proved, are also included in the statistics. Brå annually presents statistics on crime and the Swedish Crime Survey, which is a survey of the attitudes and experiences of the general population (aged 16–79) regarding victimisation, fear of crime and public confidence in the justice system. (For more detailed information, please refer to: www.bra.se.)

52. The number of inmates in prison service institutions was approximately 5 500 in 2009, which is 2% more than in 2008. The level is now 28% higher than in 2000. Of those admitted to prison in 2009, almost one-fifth had been sentenced for theft offences. Around one-fifth had also been sentenced for crimes against a person (14%), drug offences (20%) and road traffic offences (16%). Assault offences dominated among the crimes against a person, and drink driving offences dominated among the traffic offences.

53. The majority of those admitted to prisons are men. In 2009, men accounted for approximately 93% of the total number of prison inmates. These proportions have been stable over the past ten years. Men constitute the majority of those admitted to prison in connection with all types of offences. The proportion of men is the greatest among those inmates sentenced for sexual offences, and certain crimes against life and health. The proportion of males among those in prison for these types of offences varied between 97% and 100% in 2009. The proportion of women is the greatest among inmates sentenced for unlawful appropriation and traffic offences. On average, the proportion of women was 10–12% of the inmates sentenced for these crimes.

54. Of those admitted to prison in 2009, 41% were aged 40 or older, 40% were between the ages of 25 and 39, and 14% were between the ages of 21 and 24. Young people aged 20

or younger accounted for 5% of admissions in 2009. Among those admitted to prison per 100 000 of the population from the respective age groups, the distribution is different. On this basis, the dominant age group comprises persons aged 21–24, with 291 prison admissions per 100 000 of the population, compared to 83 admissions per 100 000 of the population among those aged 40 years or older.

55. Approximately 3 000 individuals served their prison sentence by means of intensive electronic supervision in 2009, which constitutes an increase of 20% compared to 2000. There were approximately 1 800 individuals placed in remand centres in October 2009. Of these, 79% were under detention awaiting trial, or during ongoing criminal investigations, and 2% were under arrest or otherwise in police custody. Approximately 240 persons were serving a prison sentence in remand centres, which was the same level as 2008. In 2009, approximately 13 300 persons entered the supervision of the probation service. This represents an increase of 4% as compared with 2008. Approximately 7 900 persons (59%) were sentenced to probation and more than 5 400 persons (41%) were conditionally discharged.

International Criminal Court

56. Since 2002, Sweden cooperates with the International Criminal Court (ICC) and has implemented the Rome Statute in domestic legislation. Moreover, since the mid-1990s, Sweden has been cooperating with the international criminal tribunals for former Yugoslavia and Rwanda, established by the UN Security Council in 1993 and 1994, respectively. Since 2006, Sweden may also cooperate with the Special Court for Sierra Leone established 2002. This cooperation is governed by different Swedish laws, and the conditions for cooperation vary depending on which one of the courts has made the request. In brief, Swedish legislation concerns different forms of legal assistance in criminal matters such as interrogation, the taking of evidence, various coercive measures in preliminary investigations, as well as the surrender of crime suspects (extradition) and the enforcement of penalties and other decisions.

II. General framework for the protection and promotion of human rights

C. Acceptance of international human rights

57. Sweden is party to most major UN human rights conventions, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), and the Convention on the Rights of Persons with Disabilities (CRPD). Sweden has ratified the protocols to these conventions, with the exception of the Optional Protocol to the ICESCR. Sweden signed the International Convention for the Protection of All Persons from Enforced Disappearance in 2007. Sweden regularly reviews its reservations to the central UN human rights instruments.

58. Sweden reviewed its reservation to Article 7 (d) of the ICESCR in 2008 in connection with the consideration of Sweden's fifth periodic report by the Committee on Economic, Social and Cultural Rights. Sweden found that maintaining the reservation was

necessary, continuing to hold that the reservation was limited in scope and not incompatible with the overall spirit and purpose of the covenant.

59. Sweden reviewed its reservations to Articles 10 (3), 14 (7) and 20 (1) of the ICCPR in 2009, in connection with the consideration of Sweden's sixth periodic report by the Human Rights Committee. Sweden found that maintaining the reservations was necessary, continuing to hold that the reservations were limited in scope and not incompatible with the overall spirit and purpose of the covenant. The reservation against the requirement for keeping juvenile offenders segregated from adults is deemed to be justified since the application of Article 10, paragraph 3 could lead to young offenders being put in central institutions far away from their families and the social services, which may have a negative impact on their well-being. Sweden has instead chosen to put persons under the age of 18 in institutions specially intended for the treatment of young offenders up to the age of about 25. The reservation regarding Article 14, paragraph 7 has been considered necessary with reference to the possibility of requesting a reopening in accordance with the provisions of Chapter 58, Section 3 of the Code of Judicial Procedure. Not providing the right to reopen cases where new evidence has come to light would undermine the credibility of the Swedish justice system. The reservation to Article 20, paragraph 1 was made for three reasons. Firstly, the prohibition of propaganda for war implies a restriction in the freedoms of expression and opinion, which are protected by Article 19 of the Covenant as well as by the Swedish constitution. Secondly, the effect of the provision on free public debate must be considered. Finally, there are difficulties in specifying the punishable area.

60. Sweden has entered a declaration with regard to the 1966 Optional Protocol to the ICCPR to the effect that Sweden's understanding is that Article 5, paragraph 2 of the Protocol implies that the Human Rights Committee shall not consider any communication from an individual unless it has ascertained that the same matter is not being examined, or has not been examined, under another procedure of international investigation or settlement.

61. Sweden reviewed its reservation to Article 14 (1) of ICERD in 2008, in connection with the consideration of Sweden's seventeenth and eighteenth periodic report by the ICERD Committee. Sweden found that maintaining the reservation was necessary, continuing to hold that the reservation was limited in scope and not incompatible with the overall spirit and purpose of the convention.

62. Sweden is also party to a large number of ILO conventions on labour rights, including the eight core conventions. (For a complete list, please refer to: http://www.manskligarattigheter.gov.se/dynamaster/file_archive/040414/ecd61c0c53d47f6f5eefca12b20a7012/konventioner_komplett_eng.pdf.)

63. Sweden is party to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). The Convention, and the additional protocols 1, 4, 6, 7 and 13 were incorporated into the Swedish legal system 1995. Sweden has no reservations to the convention or these protocols, but has not ratified protocol no 12. According to the Instrument of Government, no act of law or other provision may be adopted which contravenes Sweden's undertakings under the ECHR. Swedish courts and administrative authorities shall apply the Convention, and the additional protocols, in their decision-making activities just like all other Swedish legislation. Any person, non-governmental organisation or group of individuals claiming to be the victim of a violation by Sweden of the rights set forth in the European Convention, or its protocols, may have recourse to the European Court of Human Rights. As state party to the Convention, Sweden is obliged to abide by the judgments of the Court in cases to which it is a party. Judgments against Sweden have, in a number of cases, prompted the payment of just satisfaction to applicants, and in some instances amendments to Swedish law relating, inter alia, to widening the right of access to court. Under the supervision of the Committee of Ministers of the Council of

Europe, the Government will continue to take all necessary steps to ensure execution of the Court's judgments. Sweden is also party to a number of other Council of Europe human rights conventions. (Please refer to www.manskligarattigheter.se.)

64. As a participating state of the OSCE, Sweden implements the human dimension commitments of that organisation.

D. Legal framework for the protection of human rights at national level

65. The rights and freedoms enjoyed by persons in Sweden are primarily protected through three fundamental laws: the Instrument of Government, the Freedom of the Press Act and the Fundamental Law on Freedom of Expression. The Instrument of Government lays down that public power shall be exercised with respect for the equal worth of all and the liberty and dignity of the private person.

66. The Instrument of Government contains an enumeration of human rights and freedoms, some of which are considered 'absolute' in the sense that they cannot be restricted other than by amendment of fundamental law. Others may be restricted by other kinds of statutes, mainly acts of law. The absolute rights are e.g. freedom of worship; protection from retroactive punishment; protection against coercion by public authorities to divulge an opinion in a political, religious or cultural or similar connection; protection against coercion to participate in meetings for the formation of opinion, to belong to a political association, a religious congregation or other such association; the right to a hearing before a court when taken into custody. The Instrument of Government also contains an absolute prohibition against capital punishment, torture, corporal punishment and medical influence aimed at extorting or suppressing statements.

67. In addition to the absolute rights, the Instrument of Government also lays down a number of rights and freedoms which may, under certain circumstances, be restricted by law. These include, inter alia, freedom of expression including freedom of information; freedom of assembly; freedom to demonstrate; freedom of association; freedom of movement and the right to protection against deprivation of personal liberty; protection against body searches and other forced physical violations; protection against examination of mail and other violations of confidential postal or telecommunications; and the right to a public trial. Such restrictions, however, are themselves subject to limitations.

68. Restrictions may be imposed only to satisfy a purpose acceptable in a democratic society and must not exceed what is necessary having regard to the purpose which occasioned it, nor may it be carried so far as to constitute a threat to the free formation of opinion as one of the fundamentals of democracy. No restriction may be imposed solely on grounds of a political, religious, cultural or other such opinion. When restricting rights, the legislator must also bear in mind the prohibitions in the Instrument of Government against discrimination on grounds of sex and ethnic origin, etc. These prohibitions apply to legislation right across the board and not just to restraints of rights.

69. In December 2009, the Government proposed certain changes to the constitutional framework in a bill to the Riksdag. Amendments to the Constitution require the Riksdag to take two identical decisions. In June 2010, the Riksdag adopted the first decision, in abeyance over the general elections, to amend the fundamental laws in accordance with the proposals presented in the bill. The second decision was taken after the Riksdag had assembled following the general election, which took place in September 2010. In the bill, the Government proposed, inter alia, that the constitution should include protection against discrimination due to sexual orientation. The amendments to the Instrument of Government and other acts entered into force on 1 January 2011.

70. The existence of a free press is a fundamental basis for a free and democratic society. The Freedom of the Press Act, which is one of four fundamental laws in Sweden, guarantees freedom of the press. As a special feature in the constitutional framework, freedom of information encompasses, as regulated in the Freedom of the Press Act, the right to public access to official documents. Moreover, freedom of information and freedom of expression also encompass a right and a duty for journalists to protect the anonymity of sources, the right to communicate and publish information, and access to court hearings as well as meetings of decision-making assemblies. All Swedish citizens may express their thoughts and views in print, publish any written matter and make known information on any subject. In principle, aliens have the same rights as Swedish citizens in this respect. Sweden's first Freedom of the Press Act was introduced as early as 1766.

71. Effective from 1992, the Freedom of the Press Act has been supplemented by the Fundamental Law on Freedom of Expression. The purpose of this act is, e.g., to ensure the freedom to express thoughts and opinions on the radio, on television, in films, on video, and — to some extent — on the Internet, and to safeguard against censorship in these media. The act is based on the same fundamental principles as the Freedom of the Press Act.

72. Sweden adheres to a dualistic system, and ratified conventions do not automatically become part of national law. There are two main methods for giving legal effect to international conventions in Swedish law: incorporation and transformation. International conventions are usually transformed into Swedish law by the enactment of equivalent provisions in an existing, or a new, Swedish statute. In certain cases, a convention can be incorporated by means of general law, stating that the convention shall apply in Sweden as law and be directly applicable. One example of the latter approach is the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), which was incorporated into Swedish law in 1995.

73. European Union law has, under certain circumstances, direct effect. For example, in several cases concerning discrimination, the European Court of Justice ruled that the relevant provisions have direct effect. European Union law is applied by Swedish courts, tribunals and administrative authorities, thereby contributing to the protection of human rights in Sweden. Since the Lisbon Treaty came into force, the European Union Charter on Fundamental Rights is legally binding, having the same legal value as the Treaties. The Charter shall, as a consequence, be applied by Swedish courts and authorities when applying Union law.

74. A fundamental objective of the exercise of all public power in Sweden is to ensure full respect for human rights. Central, regional and local government, including public administration, are all bound by Sweden's international human rights obligations in the exercise of their authority, as are the Riksdag and the judiciary. The responsibility for the implementation of Sweden's international human rights obligations rests first and foremost with the Government, but is also shared with regional authorities and local municipalities. Sweden has a long tradition of local self-determination, meaning that regional authorities and local municipalities are free to make their own decisions within limits determined by the Riksdag and the Government. Regional and local authorities are responsible for, inter alia, health and medical services, social welfare matters, matters concerning compulsory school and upper secondary school, pre-school and care of the elderly.

75. Courts of law play a central role in protecting the rights of individuals in Sweden. The remedies provided for under the court system are adopted so as to provide a means to protect human rights. Legal proceedings are dealt with by general courts and general administrative courts, and to some extent by administrative authorities. In addition, a number of courts and tribunals have been established to hear cases within specific

categories. Such special courts and tribunals of relevance to human rights include the Swedish Labour Court, the migration courts and the Migration Court of Appeal.

76. The courts, administrative authorities and other public bodies are obliged, under the Instrument of Government, not to apply a provision that is found to be in conflict with a rule of fundamental law or other superior statute, or where a procedure laid down in law has been disregarded in any important respect when the provision was made. If the provision has been approved by the Riksdag or the Government, however, the application of the provision shall be waived only if the error is manifest. In the aforementioned Government bill, the Government proposed that the specific restraint on the judicial review exercised with regard to provisions approved by the Riksdag or the Government shall not be upheld. As from 1 January 2011, not only manifest errors, but all errors shall lead to waiver of application of such provisions, since the bill was approved by the Riksdag in November 2010.

Remedies and damages

77. Human rights issues form an intrinsic part of many different kinds of actions brought before Swedish courts and authorities. It would therefore prove difficult to produce an exhaustive list of all available remedies concerning individual human rights. If a person alleges that he or she has been subjected to illegal practices, the allegations can be submitted to a public prosecutor for investigation. As a rule, such an investigation should be undertaken by the prosecutor *ex officio* if there are reasonable grounds to believe that an offence has been committed. The victim of a crime may, however, institute criminal proceedings in two cases, namely when the prosecutor has decided not to prosecute, and when false accusations or indictments have been levelled against him/her. If the victim has been killed, this remedy is also open to the surviving family.

78. In connection with criminal proceeding with regard to a certain offence, an individual may bring an action for damages resulting from the offence, according to the Code of Judicial Procedure. In general, the public prosecutor, on request of the injured person, has the duty to prepare and present the injured person's claim together with the prosecution. If the action for damages is not taken up together with the criminal proceedings, either because the public prosecutor decides not to sue for damages on behalf of the victim or because the court decides that the matter should be dealt with separately, the individual can make a separate civil claim. On the other hand, if a separate action is brought against the accused in criminal proceedings, the court may decide to treat the civil and criminal proceedings jointly. With regard to compensation, the victim may request the prosecutor to assist him/her in presenting a private claim for damages to the court in connection with a trial in a criminal case. However, if for some reason the individual prefers not to have the private claim dealt with in that context, he/she may institute proceedings aiming at compensation in the manner prescribed for civil actions. Legal aid may be granted in such cases. The victim may under certain circumstances be granted legal aid in the form of a legal representative.

79. According to the 1972 Tort Liability Act, the State or a municipality is obliged to pay compensation for damage caused by a wrongful act or an omission in the course of, or in connection with, the exercise of public authority, the responsibility of which lies with the State or the municipality. There is yet another means by which a person may obtain compensation. If there has been an unjust interference with an individual's right to liberty, that individual has the right to be awarded damages by the State. The 1974 Act concerning Damages for the Restriction of Liberty contains provisions on the matter.

80. According to the European Convention on Human Rights (ECHR), everyone whose rights and freedoms as set forth in the Convention are violated shall have an effective remedy before a national authority. Judgments against Sweden by the European Court of

Human Rights have, in a number of cases, prompted the payment of just satisfaction to applicants, and in some instances amendments to Swedish law relating, inter alia, to widening the right of access to court. In some cases, the Convention demands a State to pay compensation, although such compensation is not awarded according to Swedish legislation (non-pecuniary damages are usually not compensated according to Swedish legislation.). The Supreme Court has, however, found that if someone's rights according to the Convention have been violated by, e.g., the State, the State might have an obligation to pay compensation even where this is not regulated in Swedish compensation law. The Government has requested a committee to propose legislative amendments so that it corresponds better to the rights under the Convention, and these were presented in December 2010.

Ombudsmen

81. The implementation of human rights is also supervised by the functions of ombudsmen. Anyone who feels that he or she or someone else has been treated wrongly or unjustly by a public authority, or an official employed by the civil service or local government, can make a complaint to the Office of the Parliamentary Ombudsmen (JO). In other words it's not necessary for a person to be a Swedish citizen, or have reached a certain age, to be able to lodge a complaint. The JO institution, whose Ombudsmen are appointed by the Riksdag, was established in 1809. Every year, the Parliamentary Ombudsmen receive almost 7 000 complaints of widely varying kinds. Inquiries can also be initiated by the Ombudsmen themselves. The powers and sanctions of the Ombudsmen allow, in extreme and very rare cases, an Ombudsman to act as a special prosecutor and bring charges against an official for malfeasance. The Parliamentary Ombudsmen also have the right to initiate disciplinary procedures against an official for misdemeanours, and to issue critical advisory comments or recommendations.

82. Some supervisory functions are also executed by the Chancellor of Justice (JK). For example, the JK can receive complaints and claims for damages directed to the State and decide on financial compensation for such damages. The Office of the Chancellor of Justice was introduced in 1713. The Chancellor of Justice is a non-political civil servant appointed by the Government. The period of time for which he or she is appointed is not limited. The present Chancellor took up office in 2009. The Office of the Chancellor of Justice is an independent authority and the Chancellor performs his or her duties from a strictly legal point of view. The main tasks of the Chancellor of Justice are to act as the Government's Ombudsman in the supervision of authorities and civil servants, represent the State in legal disputes, primarily actions for damages against the State and to ensure that the limits of freedom of the press and other media are not transgressed and to act as sole prosecutor in cases concerning offences against freedom of the press and freedom of expression. The Office currently operates in three divisions, the Division for General Affairs, the Division for Public Law and Freedom of the Press and Freedom of Expression, and the Litigation Division.

83. The Equality Ombudsman (DO) was established in 2009 when the four previous anti-discrimination Ombudsmen were merged into one new body. The previous authorities were the Equal Opportunities Ombudsman, the Ombudsman against Ethnic Discrimination, the Disability Ombudsman and the Ombudsman against Discrimination on grounds of Sexual Orientation. The previous discrimination legislation was a patchwork of statutes. Merging the Ombudsmen and these different laws into one single Anti-Discrimination Act, covering seven grounds of discrimination: sex, sexual orientation, transgender identity or expression, ethnic background, religion or other religious beliefs, disability, and age, is intended to improve the situation of persons exposed to multiple discrimination.

84. The Equality Ombudsman is a government agency that works against discrimination and for equal rights and opportunities for everyone. The Ombudsman is mandated to supervise compliance with the Anti-discrimination Act, and to combat discrimination and promote equal rights and opportunities for everyone. A central task of the DO is to investigate complaints of discrimination. This may include representing the victim of discrimination in settlement proceedings or, ultimately, in a court of law. The Ombudsman can also make independent surveys, reports and recommendations.

85. The intention of having a single Ombudsman for anti-discrimination issues is to ensure more effective and powerful monitoring of compliance with the Anti-Discrimination Act. A comprehensive discrimination law based — as far as possible — on equal treatment on all grounds also emphasises the non-hierarchical relation between the different discrimination grounds. Another new feature of the Act is the right given to organisations and associations, for example non-governmental organisations, to act on behalf of the complainant. A new sanction, compensation for discrimination, has been introduced for infringements of the Anti-Discrimination Act. The sanction is designed both to compensate for the violation represented by an infringement and to act as a deterrent.

86. Persons up to the age of 18 in Sweden have an Ombudsman of their own, the Ombudsman for Children in Sweden (BO). The main duty of the Ombudsman is to promote the rights and interests of children and young people as set forth in the Convention on the Rights of the Child (CRC). The agency monitors implementation of the CRC in Sweden, including through submitting proposals for legislative amendments and promoting the application of the CRC in the work of government agencies, municipalities and county councils. However, the Ombudsman does not supervise other authorities and, by law, may not interfere in individual cases.

87. How the national monitoring mechanism for the recently ratified Convention on the Rights of Persons with Disabilities will be set up is currently being considered. Another supervisory agency with relevance for human rights is the National Board of Health and Welfare. The Swedish Bar Association and the Press Council also have supervisory roles.

E. Framework within which human rights are promoted at the national level

88. In May 2006, the Riksdag adopted 'A National Action Plan for Human Rights 2006–2009'. This was Sweden's second National Action Plan for Human Rights. Both plans can be found in English translation at: www.manskligarattigheter.se. The purpose of the second action plan was to carry out a coherent review of the human rights situation in Sweden and, on the basis of this review, to propose measures for more systematic work with human rights at national level. The Government's long-term objective for its national work is full respect for human rights. The main focus of the action plan was protection against discrimination. Other measures aimed at increasing knowledge and awareness of human rights. Enhancing knowledge and awareness of human rights is crucial to making human rights an integral part of all aspects of society. Increasing awareness of human rights is therefore one of the constant priorities of the Government's systematic work for human rights. Further, the measures regulate the organisation of human rights efforts as well as the follow-up and evaluation of the national action plan. A large number of stakeholders, including the political parties represented in the Riksdag, government agencies, municipalities and county councils, institutions of higher education and non-governmental organisations were consulted and involved in the drafting process. The second national action plan has been followed up and is currently being evaluated. This evaluation was presented on 31 March 2011.

89. In conjunction with the presentation of the National Action Plan for Human Rights to the Riksdag in 2006, the Government established a Delegation for Human Rights in Sweden to support the long-term task of securing full respect for human rights in Sweden, based on the action plan. Within the framework of its remit, the Delegation was asked to support government agencies, municipalities and county councils in their work to secure full respect for human rights in their areas of activity. The Delegation delivered its final report to the Government on 30 September 2010. In its report, the Delegation gave proposals as to how the public sector could be offered continued support in its work towards achieving full respect for human rights after the Delegation had completed its mandate. In this context, the establishment of an independent national human rights institution in accordance with the Paris Principles (Principles relating to the status of national human rights institutions [Paris Principles] E/1992/22 [A/RES/48/134]) was also proposed. Work on the Government's long-term goal to achieve full respect for human rights is a continuous process. The evaluation of the second action plan, as well as the recommendations of the Delegation for Human Rights in Sweden, forms an important input to the continued systematic work on human rights issues in Sweden. The Government intends to maintain a high level of ambition regarding this systematic work, and endeavours to enhance protection of human rights at national level.

90. In 2010, the Government launched a new minority rights policy in order to strengthen the rights of national minorities (Govt proposal 2008/09:158: From Recognition to Empowerment – the Government's Strategy on National Minorities). An important part of the reform is a new Act on National Minorities and Minority Languages, which states that the authorities are obligated to inform national minorities of their rights in the Act in an appropriate manner. Two government agencies, the County Administrative Board in Stockholm and the Sami Parliament, have been tasked with following the implementation of the new Act among municipalities and government agencies. These two agencies are also to aid and support the municipalities in implementation through awareness raising activities, information campaigns and training. In 2009 and 2010, seminars and conferences were held for municipal and government agency officials. The Sami Parliament has also developed a handbook for municipalities on how to increase the use of Sami language in contacts with authorities. Awareness of national minorities and minority rights needs to be improved. In order to spread information on the reform, a new government website, www.minoritet.se, was launched in 2009. It contains information on minority rights and discrimination legislation, and also general information on national minorities.

Local level

91. The municipalities and county councils have an important role, and a great responsibility, for ensuring that Sweden fulfils its human rights obligations. These obligations also represent a part of the framework for the municipalities and county councils in their operations. The municipalities and county councils currently account for a large part of the social tasks that directly affect individual citizens. A number of these tasks are of great importance for the implementation of human rights, e.g. the right to education, the right to housing, the right to the highest attainable standard of health, the rights of persons with disabilities and the rights of national minorities. The municipalities' and county councils' areas of operation therefore often impact upon the economic, social and cultural rights of the individual. Protection against discrimination and other issues relating to treatment and attitude are therefore of the highest importance to the activities of municipalities and county councils.

92. The Government encourages municipalities and county councils to adopt the Government's long-term objective — full respect for human rights — as the objective for their own work on human rights. In the second National Action Plan for Human Rights, the Government has also encouraged municipalities and county councils to produce local action

plans on human rights for use within their own operations. That way the work of promoting human rights can be run in a more systematic and coordinated way. Municipalities and county councils interested in doing so were offered support geared to their particular operations and competence development related to issues of human rights in municipal activities by the Delegation for Human Rights. Based on the second action plan, the Government has continued and intensified dialogue with municipalities and county councils on their responsibility for human rights. A handbook on human rights work in municipal activities has also been developed and distributed.

93. Sweden's long-standing democratic system of government and constitutional framework form the basis of the enjoyment of all rights, while the general welfare system has contributed to the practical enjoyment of a number of rights and Sweden's relatively high ranking in international comparisons related to overall living standards. The State is responsible for all, or most of, the costs related to education, health care, child care, elderly care and pensions.

(Concerning the various Ombudsmen, please refer to Chapter D, p. 77 and following.)

Information

94. The Government recognises the fundamental challenge of securing the implementation of all human rights issues on all levels of society – national, regional and local. This requires knowledge of human rights issues by all relevant actors. It is also necessary to ensure cooperation between these different levels of government. The Government intends to continue to collaborate closely with all relevant stakeholders. Dissemination of information relating to Sweden's international obligations in the field of human rights is a priority of the Swedish Government, and was a specific measure in the national human rights action plan. Efforts to enhance such awareness include disseminating texts of human rights instruments in Swedish translation, providing the public and authorities with information regarding the content of those instruments, and promoting an exchange of views on human rights issues with non governmental organisations.

95. In 2002, the Government established a special human rights website, www.manskligarattigheter.se. Information posted on the website includes key human rights conventions translated into Swedish, Sweden's reports to various international monitoring mechanisms and concluding observations from such bodies. It further includes all judgments delivered by the European Court of Human Rights in cases brought against Sweden and reports by UN special rapporteurs on human rights issues. Individuals can also pose questions regarding human rights issues in Sweden through the website. The website has about 30 000 individual visitors per month. It is accessible for people with disabilities, and certain sections have been translated into indigenous and minority languages, as well as English. The Swedish versions of key human rights conventions that Sweden has ratified are published and distributed on the human rights website and in a booklet available for a small charge by mail. Information was also distributed through the Delegation for Human Rights in Sweden, and the Delegation for Roma Issues, which was appointed to play a proactive role at national level in work to improve the situation of the Roma in Sweden, based on Sweden's international commitments to protect and promote human rights. The Delegation had a temporary mandate that resulted in a report setting out proposals for how work to improve the living conditions of the Roma should be organised. The Delegation's report was presented to the Government in July 2010. A compilation of all concluding observations from UN treaty bodies was produced in 2010. The publications are available to the public free of charge. These publications and also fact sheets concerning human rights issues can be downloaded from the website in various languages.

96. Swedish translations of binding international agreements concluded by Sweden are also published in the Swedish Treaty Series (Sveriges internationella överenskommelser,

SÖ). A biennial index to the Swedish Treaty Series is published by the Ministry for Foreign Affairs. In addition, Swedish legislation adopted in connection with the conclusion of international agreements is published in the Swedish Code of Statutes (Svensk författningssamling). International agreements which require changes in existing legislation, or the enactment of new legislation, must be approved by the Riksdag. Parliamentary approval is also necessary for agreements in areas which lie within the decision making competence of the Riksdag, and for other agreements of major significance. In most cases, government bills presented to the Riksdag must include a Swedish translation of the full text of the agreement. Government bills are published in the parliamentary publications, which are widely available to the public. Additional information about the content of human rights instruments is provided in the series of booklets on foreign affairs that have been published by the Ministry for Foreign Affairs as well as booklets published by the Ministry of Integration and Gender Equality. The booklets cover a variety of topics, including human rights. These publications are available to the public free of charge.

Government agencies

97. It is the State's responsibility, through legislation, agency management, dissemination of knowledge, information and other means, to counteract abuses of human rights. The task of making the government agencies aware of their responsibility for ensuring that human rights are not abused, and of increasing understanding of what the international obligations mean, was enhanced in connection with the implementation of the first National Action Plan for Human Rights in 2002, and further developed during implementation of the second plan. This has led to a number of government agencies being tasked with working with human rights issues through such means as competence development activities. A number of agencies have also been given assignments connected with human rights in their appropriation directions. The Government intends to continue this work. Respect for, and awareness of, human rights must be seen as an attitude in the ordinary operation of public administration, not as a separate area along the sidelines. The measures being carried out should aim to increase knowledge and awareness of, and respect for, human rights as binding obligations for Sweden. The starting point is international conventions on human rights. Measures implemented to promote respect for human rights should be seen as complementary with respect to ongoing, or planned, work involving human rights, such as gender equality, non-discrimination, the rights of persons with disabilities, the rights of the child and the rights of national minorities.

98. People in leading positions represent a key target group for competence development measures. The Government concentrates agency control efforts regarding human rights on agencies of special importance when it comes to ensuring that human rights are respected. Agencies that came into this category during the initial implementation of the second action plan were the National Labour Market Administration; the National Board of Housing, Building and Planning; the National Economic Crimes Bureau; the Living History Forum; the Social Insurance Agency; the National Prison and Probation Service; the Coast Guard; the Migration Board; the National Police Board, the Swedish Security Service, the National Agency for Education; the National Board of Health and Welfare; the National Board of Institutional Care; the Board of Customs; the National Board for Youth Affairs and the Prosecution Authority. Several county administrative boards have also been working with issues of human rights since 2004. The Delegation for Human Rights in Sweden was given the task of supporting the government agencies in the implementation of measures taken to promote human rights as mentioned above.

99. A number of measures have been taken to expand human rights training for judiciary and public officials at all levels in line with the measures presented in the two National

Action Plans for Human Rights as stated above. Another example is human rights training for new officials within the Government Offices.

Education

100. A new Education Act, which will enter into force on 1 July 2011, puts even greater emphasis on human rights as one of the fundamental values on which the school system is founded. The Act, and the national curriculum, both stipulate that everyone who works in pre-schools or schools is obliged to promote respect for human rights and to very clearly disassociate themselves from anything that conflicts with these values. As a consequence of the new Education Act, the role of human rights education has also been made clearer in the curriculum, in particular when it comes to overarching goals. The new curriculum and syllabuses for compulsory school are to be in effect as from 1 July 2011. Human rights education is reflected as part of the purpose, goal and core content of the subject Civics. Since March 2010, newly employed principals are required to undergo special initial training at university level. As a part of the training, principals are to acquire knowledge on international agreements and conventions that are relevant to the education sector. In 2009, the National Agency for Education was assigned a task regarding the fundamental values of the school system. The task includes informing schools about work done to promote the fundamental values, and research and surveys done in the area.

Media

101. A number of other actors in society, both public and private, contribute to the promotion and enjoyment of human rights. The media play a crucial role by providing information to the public, initiating public debate and scrutinising the exercise of public power. The existence of a free press is a fundamental basis for a free and democratic society, as already mentioned. Public debate is often initiated by media itself, and therefore the Delegation for Human Rights in Sweden ordered a study to see to how issues concerning human rights were treated by media during 2006–2008. The results showed that no central theme of ‘human rights’ as such existed, but that different rights-related issues were brought up under headings such as discrimination, refugees, gender equality, minority issues and LGBT.

Civil society

102. Sweden has a long tradition of civic engagement and an active civil society, often characterised by a high rate of participation and democratic internal organisation. Non-governmental organisations play an essential role in upholding and developing democratic values, respect for human rights and civic participation in Swedish society. (Please refer to Chapter 1 B p. 36 and following.) The Swedish Forum for Human Rights is the civil society movement’s forum for human rights and a meeting place for politicians, students, public officials, activists and researchers. The Swedish Forum for Human Rights is the largest human rights event in the Nordic countries, gathering more than 1 500 participants each year. The Forum is held on an annual basis, and the aim is to contribute to the development of ideas concerning, and implementation of, human rights in Sweden and internationally. The purpose is to widen and deepen the public discussion, move human rights issues further up the political agenda, develop the cooperation between non-profit organisations and those government authorities that have a particular responsibility for human rights issues, offer knowledge and methods for the practical application of human rights, present challenges within the area of human rights and enable the creation of new networks. The Swedish Government Offices take an active part in the Swedish Forum for Human Rights, known as ‘MR-dagarna’ (www.mrdagarna.se), on a yearly basis through such means as maintaining an information desk, distributing human rights information, displaying the human rights website, having discussions with visitors and participating in seminar panels.

103. In 2008, the Government initiated work to strengthen people's involvement in issues concerning democracy and human rights. The method for this is dialogue for a stronger sense of common basic values in Sweden, in the form of reflection on issues concerning fundamental values together with other people. As a first step, this initiative focused on supporting organisations in their work on these issues. The dialogue is based on issues concerning human rights and how to achieve a society whose development is characterised by mutual respect for differences within the limits set by the fundamental democratic values of society, in which everyone, irrespective of background, should take an active and responsible part.

Financial resources

104. The budget resources allocated to specific human rights work during the last four years refers to the funding of the Delegation for Human Rights in Sweden, which was active between 2006–2010, to support the long-term task of securing full respect for human rights in Sweden, based on the second national action plan, as mentioned above. The total amount of this funding for the period 2007–2010 was SEK 13.4 million (approximately EUR 1.5 million). Budget allocations in other areas related to human rights work were, for 2010 alone, distributed as follows:

- SEK 400 million (approximately EUR 43.4 million) were allocated to gender equality actions
- SEK 330 million (approximately EUR 35.8 million) were allocated to disability policies
- SEK 118 million (approximately EUR 12.8 million) were allocated to the Equality Ombudsman and other actions against discrimination
- SEK 49 million (approximately EUR 5.3 million) were allocated to the Ombudsman for Children in Sweden and other child rights policies

The total budget for 2010 was SEK 810 billion (approximately EUR 87 billion).

Foreign policy

105. Protection of human rights is a priority of Sweden's foreign policy. The Government is committed to ensuring that human rights and democracy are integrated into all policy areas, including migration, security and trade. The Government aims to pursue a human rights approach that is consistent and results-oriented. Dialogue with other states, multilateral negotiations, public diplomacy and development assistance are important means of promoting human rights internationally. Democracy and human rights constitute one of the three main thematic priorities of Sweden's development cooperation. The implementation of Sweden's overall development policy is based on a human rights perspective and on the perspective of poor people on development, as already described on page 7, point 18 and following. This means that the two perspectives will be mainstreamed into the entire development cooperation programme.

106. The Government outlined its foreign policy priorities in two communications to the Riksdag in 2008. 'Human Rights in Sweden's Foreign Policy' outlined overall human rights priorities, while 'Freedom from Oppression – Government Communication on Swedish Democracy Support' covered development cooperation work. In early 2010, the Government decided on a policy, 'Change for Freedom – Policy for democratic development and human rights in Swedish development cooperation'. The policy applies both to Swedish bilateral and multilateral development cooperation. In July 2010, the Government adopted the policy 'On Equal Footing – A Policy on Gender Equality and the Rights and Role of Women in Sweden's International Development Cooperation'. This

policy primarily focuses on areas in which women and girls are unable to exercise and fully enjoy their human rights due to discrimination based on sex and gender inequalities. These documents can be found at: www.manskligarattigheter.gov.se.

107. The Government attaches high priority to ensuring that international law, human rights, gender equality and women's rights and empowerment, democracy and the rule of law permeate the European Union's internal and external actions. During the Swedish Presidency of the European Union in 2009, particular focus was put on the effective implementation of the broad range of instruments the EU has at its disposal. Priorities included holding human rights dialogues and consultations with a view to meaningful results, implementing the EU's guidelines on human rights and promoting the substantive work at the UN and other multilateral bodies. Sweden plays an active role in United Nations bodies mandated to address human rights, such as the General Assembly and the Human Rights Council, where Sweden now aspires to membership. Sweden will continue to work towards safeguarding the crucial role of these bodies as forums to uphold respect for established universal human rights norms, and to effectively address serious, large-scale violations of human rights and humanitarian law. Cooperation with the Office of the High Commissioner for Human Rights is also particularly important. Sweden also endeavours to ensure that human rights issues are fully reflected and implemented in other UN contexts, such as in the work of the ILO, UNICEF, UNHCR, UNDP, UNFPA and UNESCO.

F. Reporting process at national level

108. Sweden regularly reports to the United Nations (UN) treaty bodies on how it complies with its international human rights obligations. The Government had already expressed its intention to carefully follow up criticism against Sweden concerning international human rights obligations in the first national action plan for human rights. It is important that representatives of different parts of society take part in the collection of material for Sweden's reports to international organisations and in the work on following up on the observations that Sweden receives. The Government gives serious attention to the concluding observations of the UN treaty bodies, which contribute to the improvement of human rights protection in Sweden. The Government also gives serious attention to the views issued with regard to individual cases against Sweden. There is an established practice to comply with requests, decisions and judgments from international bodies that are competent to examine complaints from individuals, e.g. UN human rights treaty bodies or the European Court of Human Rights. The Government therefore invites representatives from various parts of the community to meetings in connection with Sweden's reporting and when Sweden receives observations from the monitoring committees. The Government seeks an open and transparent process involving government agencies, civil society and, when relevant, other stakeholders at an early stage.

109. In 2000, an interministerial working group, charged with the task of devising proposals for the first national action plan for human rights, was appointed. It was jointly led by the Ministry of Justice and the Ministry for Foreign Affairs. When the working group's mandate ended in 2006, a new interministerial working group for human rights was established by governmental decision to highlight the importance of this issue. The working group has, on several occasions, been given extended assignments and new commissions. These commissions have included implementing and following up the national action plan and ensuring that it is evaluated, providing a forum within the Government Offices for information and discussion of the international work on human rights, including reporting, and helping, where necessary, with the coordination and planning of negotiations at international fora. The working group was led by the Ministry of Integration and Gender Equality and the Ministry for Foreign Affairs in 2006–2010. Since the beginning of 2011, the group is led by the Ministry of Employment, which is responsible for coordinating

human rights issues at national level, and the Ministry for Foreign Affairs. All ministries are represented in the group. The members are contact persons for their respective ministries on issues relating to human rights. The role of the working group is one of coordination and does not involve taking over responsibility for the human rights issues that come within the area of expertise of the ministries themselves.

110. The responsibility for reporting in accordance with the different UN conventions on human rights is divided between ministries within the Government Offices, depending on the issues concerned. Since the scope of the reports is quite wide, and covers a wide variety of issues, several specialised ministries are involved in the preparatory process. During the universal periodic review (UPR) process, which is one of the latest Sweden has gone through and is mentioned here as an example, the Ministry for Foreign Affairs coordinated the preparatory work together with the Ministry of Integration and Gender Equality, in close cooperation with other ministries. The Government sought an open and transparent process, involving government agencies, civil society and other stakeholders at an early stage. The Government's human rights website www.manskligarattigheter.se was used to inform and consult stakeholders. The coordinating ministries also held open-ended meetings with stakeholders to inform about, and collect views, on the process and the report. In November 2009, representatives from the coordinating ministries participated in a public seminar on the UPR. The Equality Ombudsman, the Ombudsman for Children in Sweden and the Delegation for Human Rights in Sweden were also consulted during the drafting of the report. The Swedish Government strongly supports the system of alternative reports to the State report — known as 'shadow reports' — drawn up by civil society and transmitted to the UN committees, since civil society plays an important role in the reporting process. (Concerning dissemination of concluding observations, etc, please refer to Chapter 2 E, p. 90 and following.)

G. Other related human rights information

Follow up to international conferences

111. In following up the Vienna Declaration and Programme of Action from the 1993 World Conference on Human Rights, Sweden has adopted two national action plans for human rights. (Please see Chapter 2 E, p. 84 for further reference.) The implementation of commitments made at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance have been integrated into Sweden's overall human rights work as expressed, inter alia, in the national action plans. Furthermore Sweden took an active part in the Durban Review Conference, the process leading up to it, and the adoption of the outcome document. To disseminate the information in the outcome document of the Durban Review Conference to a broader public, and to organisations active within the field in Sweden, the document has been translated into Swedish. Sweden is actively working to help fulfil the UN Millennium Development Goals.

III. Information on non-discrimination and equality and effective remedies

112. The task of strengthening the protection against discrimination and intolerance is carried out through a number of different measures within different parts of society. In spite of this, people still suffer abuses of this kind in Swedish society today. This, of course, is unacceptable and the fight to counter these occurrences is therefore an issue that is given very high priority by the Government. The goal of the Government's initiatives to counter discrimination is a society free from discrimination. This includes measures to prevent discrimination on grounds of sex, ethnicity, religion or other belief, disability, sexual

orientation, transgender identity or expression, and age. Other issues linked to this area are measures to combat racism, homophobia and other, similar forms of intolerance. According to the Instrument of Government, courts of law, administrative authorities and others performing tasks within the public administration shall have regard in their work to the equality of all before the law, and shall observe objectivity and impartiality. This principle, as laid down in the Constitution, is binding upon everyone exercising public power, regardless of whether it is an administrative authority, a court or a private entity equipped with such powers.

113. Anti-discrimination legislation is based on several international legal instruments to which Sweden has acceded, among them: the UN Convention on the Elimination of All Forms of Discrimination against Women, the UN International Convention on the Elimination of All Forms of Racial Discrimination, the UN Convention on the Rights of Persons with Disabilities, the EU Directive implementing the principle of equal treatment of persons irrespective of racial or ethnic origin (Directive 2000/43/EC), and the EU Directive establishing a general framework for equal treatment in employment and occupation (Directive 2000/78/EC).

114. The most extensive initiative to achieve the goal — a society free from discrimination — in recent years is the new Anti-Discrimination Act, which entered into force on 1 January 2009, as mentioned in connection with the description of the new Equality Ombudsman in Chapter 2 D p. 77–81. Under the new Act, discrimination is prohibited in principle in all sectors of society and on all grounds mentioned above. This means that the Act introduces protection in areas of society not previously covered by the legislation. The most important example of this is the general prohibition against discrimination in the public sector. The exception to this is age, where the prohibition is limited to all parts of the education system and working life in the broad sense of the term. The reason for the limited protection on the ground of age is that the issue needed further investigation, so that justified forms of difference in treatment on the ground of age would not be prohibited. As a consequence, in August 2009 the Government established a committee of inquiry to examine how increased protection on the ground of age could be achieved. The inquiry presented its proposals to the Government in August 2010. The proposals are currently being examined within the Government Offices. According to the Anti-Discrimination Act, the prohibition of discrimination does not prevent measures that contribute to efforts to promote equality between women and men, and that concern matters other than pay or other terms of employment. The discrimination prohibition does not apply if an employer's means of acting represents a step in an endeavour to promote gender equality in working life.

115. The discrimination prohibitions in the Act are supplemented by rules on active measures. The active measures can basically be said to be targeted at the treatment of employees and others as groups, and not individual cases. The active measures are intended to constitute a driving force and to encourage further action to counteract discrimination. When the distribution of women and men is not more or less equal in a certain type of work, or in a certain employee category at a place of work, the employer is to make a special effort when recruiting new employees to attract applicants of the under-represented sex. The employer is to attempt to see to it that the proportion of employees from the under-represented sex gradually increases. Every three years, employers are to draw up a plan for their gender equality work. Education providers are also to draw up equal treatment plans each year containing an overview of measures needed to promote equal rights and opportunities for children, pupils or students participating in, or applying for, the activities regardless of sex, ethnicity, religion or other belief, disability or sexual orientation, and prevent and hinder harassment. The Act is under regular review.

116. Government financial contributions to non-governmental organisations comprise another element to fighting discrimination. The National Board for Youth Affairs, a government agency, administers applications for government subsidies in accordance with three ordinances, all of which aim to promote equal rights and opportunities regardless of the grounds covered by the Anti-Discrimination Act. Subsidies are available, for example, for local activities against discrimination performed by anti-discrimination bureaus. There are about twenty anti-discrimination bureaus nationwide offering assistance to individuals who find themselves discriminated against on any of the grounds covered by the Anti-Discrimination Act.

117. A further step in Sweden's work to promote equal rights in society was the ratification in 2008 of the UN Convention on the Rights of Persons with Disabilities. During the ratification process, it became clear that challenges remained, for example with regard to awareness-raising activities, measures to reduce unemployment among persons with disabilities and increasing accessibility. For persons with disabilities, lack of access is often a greater obstacle to participation in the labour market and society than the disabilities as such. Barriers stopping people with disabilities from participating fully in society must be removed. Initiatives will be taken to counteract discrimination and to give children, young people and adults with disabilities the conditions for independence and self-determination. The Swedish disability policy is based on 'From Patient to Citizen – a national action plan for disability policy', which ended in 2010. The national action plan has been evaluated and work on a strategy including an overall goal for disability policy is proceeding. The strategy will be in effect between 2011–2016 and consists of follow-up goals and a clear role for implementation. Initiatives are intersectoral and the responsibility for achieving disability goals lies within the relevant area. The Government has initiated the programme 'Hjärnkoll' (www.hjarnkoll.org) with the aim of changing negative attitudes towards persons with mental disability or disease. The main goal of the programme, which is to run for three years, is to increase knowledge of mental disabilities and to reduce negative and stereotyped attitudes in society. Handisam — the Swedish Agency for Disability Policy Coordination — helps remove obstacles that persons with disabilities still encounter in society. As a part of Swedish disability policy, Handisam has two paramount tasks: coordination and acceleration. The coordinating role includes supporting the sectoral authorities tasked with implementing the national plan for disability policy. Work on the action plan is followed up and evaluated. Handisam is the Government's expert authority. The accelerating role means, among other things, developing knowledge concerning accessibility in community, and in particular ensuring that the public sector sets a good example. Handisam has issued Guidelines for an Accessible Government Service in which national authorities can study ways of making information, facilities and activities accessible to all. Local and regional authorities, business enterprises and organisations are also encouraged to adopt a working approach incorporating the modern disability perspective.

118. The Instrument of Government (please also refer to Chapter 2 D above) lays down that public power shall be exercised with respect for the equal worth of all and the liberty and dignity of the private person. In a Government bill from 2009, the Government proposed amendments to modernise the language of the Instrument of Government, making it gender neutral and simpler for the general public to understand. It was also proposed that provisions contained in the Instrument of Government on fundamental rights and freedoms be amended in order to clarify that the protection of rights and freedoms in the Constitution is afforded to every individual in the country, regardless of citizenship. It is laid down in the Instrument of Government that no act of law or other provision may imply the unfavourable treatment of an individual because he or she belongs to a minority group by reason of race, colour, or ethnic origin. The Government proposed that the provision in the Instrument of Government be amended to lay down a prohibition against discrimination of

minorities by reason of ethnic origin, colour, or other similar circumstances, or by reason of sexual orientation. The phrase 'other similar circumstances' includes the notion that people could be divided up and classified according to race. Furthermore, no act of law or other provision may, according to the Instrument of Government, imply the unfavourable treatment of an individual on grounds of gender, unless the provision forms part of efforts to promote equality between men and women or relates to compulsory military service or other analogous official duties. The bill was approved by the Riksdag on 24 November 2010.

119. As also mentioned before, the European Convention on Human Rights was incorporated into Swedish law in 1995. According to Article 14 of the Convention, the enjoyment of rights and freedoms set forth in the Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. Sweden has not adhered to Protocol 12 of the Convention on a general prohibition against discrimination. Consequently, that protocol has not been incorporated into Swedish law.

120. The Swedish Penal Code contains two provisions directly concerned with contempt or discrimination on the grounds of race, colour, national or ethnic origin, religious belief or sexual orientation; one relating to agitation against a national or ethnic group, the other to unlawful discrimination. The Code also contains a specific clause which states that, when assessing the penal value of a crime, it shall be considered an aggravating circumstance if a motive of the crime was to aggrieve a person, ethnic group, or some other similar group of people by reason of race, colour, national or ethnic origin, religious belief, sexual orientation or other similar circumstance. The provision is applicable to all categories of crimes.

121. Protecting the rights of persons belong to the Sámi indigenous people and the other national minorities, as well as the rights of migrants, refugees and asylum seekers, is a continuous duty. Close attention will be given to these issues, while the Swedish Government will continue to thoroughly follow up on recommendations by treaty bodies. The Policy on National Minorities includes issues related to the protection of, and support for, the national minorities and their long-established minority languages, and aims at strengthening the national minorities and providing the support needed to keep their languages alive. The five recognised national minorities in Sweden are: Jews, Roma, Sami, Swedish Finns and Tornedalers. In order to raise awareness about national minorities and minority rights, the website www.minoritet.se was launched in 2009. The website provides information on minority rights, national legislation, international conventions and general information on national minorities. The site is part of the Swedish Government's new minority rights policy, which has been in effect since 2010.

122. Men's violence against women is a considerable problem that affects the entire society, both women and men. Combating men's violence against women and all domestic violence, including violence and oppression in the name of honour and violence in same-sex relationships, will continue to be priority tasks. Men's violence against women is ultimately an issue of gender equality and the full enjoyment by women of their human rights. Sweden's commitments within the framework of UN, European Union and Council of Europe efforts are an important cornerstone of the Government's work. In 2007, the Government adopted an action plan to combat men's violence against women, violence and oppression in the name of honour, and violence in same-sex relationships. A total of SEK 1 billion was invested in 56 different measures during the previous term of office. Women in vulnerable situations, such as women with disabilities, women with misuse problems and minority women, are specifically targeted in a number of measures.

123. The objective of the elderly policy is for elderly people to lead active lives and have an influence on society and their own everyday lives; for them to be able to grow old in security and retain their independence; and for them to be treated with respect and have access to good health and social care services. Ensuring the rights of elderly persons will continue to be a priority task for the Government.

124. The aim of Swedish migration and asylum policy is to guarantee a long-term sustainable policy that safeguards the right of asylum, facilitates cross-border mobility, promotes open and flexible needs-based labour immigration, supports the positive development impact of migration and deepens European and international cooperation. The present Swedish Aliens Act entered into force in 2006. It introduced a new system for appeals and procedures in the field of migration and asylum. With a two-party process, the new system aims at increasing transparency and providing extended opportunities for oral hearings. The Swedish Migration Board is the first instance for applications regarding residence permits and asylum. Its decisions can be appealed to one of the migration courts. Following a further appeal by the parties, leave to appeal can be granted by the Migration Court of Appeal, mainly if a case is believed to provide guidance (precedent-setting rulings) about the application of the Aliens Act. If leave to appeal is granted, the Migration Court of Appeal will examine the appeal on its merits. The Swedish Aliens Act has also formalised the established practice to comply with requests, decisions and judgments from the international bodies that are competent to examine complaints from individuals. Regarding the grounds for recognition of refugee status, the Aliens Act includes a well-grounded fear of persecution because of gender or sexual orientation, or because of membership of a particular social group. Individual assessments of the grounds for asylum are always made. The Government has instructed the Migration Board in its appropriation directions to give special attention to issues related to women and LGBT persons in training programmes and to report on how the Board will maintain and develop competence in this area.

125. New legislation for labour immigration entered into force in 2008. The system is employer-led and demand-driven, and it welcomes labour migrants of all skills and levels. Migrants who are admitted will be given full access to equal rights at the same level as a Swedish citizen, and they may bring their family members from day one. The legislation provides a three-month transition period in case the migrant loses his or her job, or is not satisfied with the employer. This reduces the dependency between employers and employees. During the transition period, the migrant is allowed to remain in Sweden and apply for a new job.

126. In January 2010, the Government appointed a committee of inquiry which will investigate the regulation of access to health care for persons without residence permits. In light of the international commitments made by Sweden, the committee will consider and propose a regulation giving the regional health care authorities a more extensive duty to offer subsidised health care to persons without residence permits. This inquiry is to conclude its task by May 2011. The general agreement on migration policy from 2 March 2011 refers to the ambition to extend the right to subsidised health care to certain groups.

127. The steady increase in the number of asylum-seeking unaccompanied minors (UAM) arriving in Sweden presents a challenge. Local municipalities, which are responsible for accommodation and care of unaccompanied minors, voluntarily enter into agreements with the Migration Board for their task and are economically compensated by the State. The increased number of unaccompanied minors has led to a lack of housing. The Government and the Migration Board have therefore set up a dialogue with municipalities and will, if the situation cannot be satisfactorily resolved through these means, consider other options.

128. Integration policy covers introduction to society of newly arrived immigrants, compensation to municipalities for refugee reception, and promotion of integration. Swedish citizenship and urban development are also part of integration policy. The goal of integration policy is to ensure equal rights, obligations and opportunities for all, irrespective of ethnic and cultural background. A new reform to speed up the introduction of newly arrived immigrants into working and social life entered into force on 1 December 2010. This is the greatest change in integration policy in decades. Quicker introduction will be made possible by strengthening the personal incentives to both find work and take an active part in employment preparatory activities for becoming ready for employment. A clearer and more distinct division of responsibilities between different stakeholders will create an effective introduction chain. Individual introduction plans will be drawn up to make better use of the skills of newly arrived immigrants.

129. Among other things, the reform entails: the Swedish Public Employment Service will have a coordinating responsibility for introduction activities; the Swedish Public Employment Service and the newly arrived immigrant will jointly draw up an introduction plan including activities to facilitate and speed up the introduction of the newly arrived immigrant into working and community life; a new benefit will be introduced that is the same for all newly arrived immigrants regardless of where in the country they live and is paid in connection with active participation in introduction activities; a new service provider — an ‘introduction guide’ — is to assist the newly arrived immigrant during the introduction period; newly arrived immigrants who have an introduction plan are required to participate in civic orientation.

130. According to their circumstances, all newly arrived immigrants will be given professional support to, as quickly as possible, learn Swedish, find work and support themselves, and become acquainted with the rights and obligations that apply in Sweden. Until now, the municipalities have been responsible for what is called ‘introduction’. The introduction of newly arrived immigrants has been designed differently in different parts of the country. The municipalities have, for example, made their own decisions on whether to pay introduction benefits or financial support (social allowance) to newly arrived immigrants who take part in an introduction programme. The municipalities have also decided on the size of the benefit. Evaluations show that it has taken a long time for newly arrived immigrants of refugee backgrounds to become established in the labour market. On average, some 15 per cent of men have a job one year after being granted a residence permit, 35 per cent three years after and 50 per cent five years after. For women, the corresponding figures are 5, 20 and 30 per cent, respectively. The results show that there have been major structural problems with the introduction activities.

131. The goal of the regional growth policy is dynamic development in all areas of the country with greater local and regional competitiveness. The policy is based on the capacity of individuals themselves to take action. A prerequisite for this is that women and men, regardless of ethnic and cultural background or sexual orientation, shall have equal opportunities to develop in all areas of the country. Political measures that promote entrepreneurship, innovation and renewal, skills supply and increased labour supply, accessibility, and a good level of service are necessary to enhance local and regional dynamic development. The measures should be adapted to both local and regional differences and conditions. There is a continued need for initiatives targeting geographically defined areas that are considered to be in need of special measures to strengthen their potential for sustainable growth.

132. In 2008, the Swedish Government presented a comprehensive national strategy for integration for the period 2008–2011. One of the seven strategic areas identified in the strategy is ‘local areas with widespread exclusion’. The goal is to reduce the number of these areas and to improve living conditions there. The Government’s efforts to combat

exclusion in the mentioned areas are mainstreamed in general policies and coordinated in the policy for urban development focusing on employment, education, security and growth. In some areas, a large proportion of the inhabitants suffer from exclusion due to unemployment, long-term dependency on social welfare, feelings of insecurity or poor health. In order to identify effective methods to combat exclusion and to use public resources more efficiently, the Government cooperates with the municipalities in question. This cooperation is based on a special ordinance that took effect in 2008. The ordinance was valid for the period 2008–2010 and served as a guide for municipal and national agencies on how to accomplish efforts for urban development.

133. The Equality Ombudsman (DO), www.do.se, (please also refer to pp. 77–81) also has duties that include raising awareness and disseminating knowledge and information about discrimination and the prohibitions against discrimination, both among those who risk discriminating against others and those who risk being subjected to discrimination. The agency offers guidance to employers, higher education institutions, schools and others, and helps develop useful methods on their behalf. A further task is to ensure, through awareness-raising initiatives, that everyone knows their rights. In addition, the Ombudsman is required to draw attention to, and create a debate around, human rights issues. The DO also has special responsibility for reporting on new research and international developments in the human rights and discrimination field.

134. The Ombudsman for Children in Sweden (BO), www.barnombudsmannen.se, also disseminates information on the Convention on the Rights of the Child (CRC). A key duty of the Ombudsman for Children in Sweden is to participate in public debate, promote public interest regarding key issues, and influence the attitudes of decision-makers and the public. The Ombudsman maintains regular contact with children and young people. The Ombudsman visits schools and youth clubs, and children can get in touch with the agency by letter, telephone and through the website. Each year, the BO submits a report to the Government. This report addresses the situation of children and young people in the country.

135. The Delegation for Human Rights in Sweden launched different campaigns with the aim to prevent and eliminate negative attitudes. The Delegation's project 'MR blobben' was an attitude project for young people, but was just as interesting for a wider public. Focus was on the difficulties that can occur when different rights stand against each other. The European project 'All Different – All Equal' is an example of another campaign organised by the Delegation for Human Rights in Sweden.

136. The Living History Forum is a Swedish public authority which, using the Holocaust and other crimes against humanity as a starting point, works with issues on tolerance, democracy and human rights from both a national and international perspective. The Living History Forum works with human rights education through such means as exhibitions and the compilation of such school material as 'living rights'. The intention is to equip people with knowledge for the future, with the goal of strengthening the will to work for equal values for all, to work for everyone's equal value – to listen, understand and act. The Living History Forum also surveys attitudes in society. Having an understanding of why people are intolerant, how extensive this is, what form it takes and how geographically widespread, etc., it is, is crucial to finding ways of combating such attitudes. The Living History Forum works closely with researchers working in areas such as Islamophobia, anti-Semitism, hatred of Roma and racism in Swedish society. The authority also publishes other types of reports based on various types of surveys.