



**International Covenant on
Civil and Political Rights**

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Human Rights Committee

**Concluding observations on the seventh periodic report of
Sweden**

Addendum

**Information received from Sweden on follow-up to the
concluding observations***

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* The present document is being issued without formal editing.



General comment

1. Sweden considers the monitoring procedure to be an important tool in following up the measures taken to promote and protect human rights in the world. The efforts made by the Human Rights Committee to receive, gather, evaluate and draw conclusions from information on the situation relating to civil and political rights in monitored States is of considerable value in the development of this work. Sweden appreciates a continued dialogue and exchange of information and views regarding the protection of human rights in Sweden.

Information on Sweden's follow-up to the recommendations contained in paragraphs 17 and 33 of the concluding observations (CCPR/C/SWE/CO/7)

Paragraph 17 (racism and hate speech)

The Swedish Police Authority

2. Measures to combat hate crime, both within the judicial system and in other parts of society, are a priority for the Swedish Government. The Swedish Police Authority plays an important role in these efforts and has intensified its work to combat hate crime. This is an extensive process that requires time to make an impact, and the Government monitors developments closely.

3. In accordance with its appropriation directions for 2016, the Police Authority has reported to the Government on measures taken, as well as suggestions for how the work should continue to be developed. In its report Police Authority considers that it is as yet too early to comment on what kind of effect the increased level of ambition has generated.

4. Under its appropriation directions for 2017, the Swedish Police Authority is to report to the Government on how recommendations and viewpoints from international human rights bodies have been considered and implemented by the Police Authority. According to the same appropriation directions, the Police Authority should also report on how the legal framework on human rights has been applied and implemented.

5. On 30 April 2015, the National Police Commissioner adopted a decision to further strengthen the Swedish Police Authority's efforts to combat hate crime. One aim of the decision is to increase the number of crimes solved and perpetrators brought to justice. The raised level of ambition should also increase employees' awareness and understanding of the difficulties associated with hate crime. Increased awareness and understanding will enable employees to identify hate crime as such, and to take a broader perspective throughout the investigation.

6. Thus far, the measures taken have led to the establishment of a national contact point for these issues and specific hate crime units in the three metropolitan police regions (Stockholm, West (Gothenburg) and South (Malmö)). In other police regions these matters are handled in a particular order. Resources have been allocated to criminal investigations, assistance to victims, training of police officers, outreach activities and other confidence-building measures. To this end, a consultation forum was set up at national level in 2015. Collaboration also takes place at regional and local level between municipalities and local clubs and societies, through measures such as local collaborative agreements and pledges to citizens.

7. On 1 October 2015 the Swedish Police Authority established a Cyber Crime Centre, the SC3, with the key aim of strengthening capacity throughout the Police Authority to investigate all forms of cybercrime, hate speech, cyber-bullying, defamation and other offensive expressions towards others. In fighting hate speech online, important steps can also be taken by private actors such as major social platforms. Sweden welcomes the code of conduct presented by a series of major US corporations in Brussels on 31 May 2016. The

Code of Conduct provides a clear commitment on the part of these private actors to take action against hate speech online.

The Swedish Prosecution Authority

8. Combating hate crime is also a priority for the Swedish Prosecution Authority. The development centre in Malmö bears special responsibility for monitoring, training and developing methods in the area of hate crime. In each regional public prosecution office there is at least one designated prosecutor specialised in dealing with hate crime investigations. Hate crime is also a subject included in both basic and advanced training for prosecutors.

9. The regulations of the Swedish Prosecution Authority state that prosecutors must lead the preliminary investigation of alleged hate crime once there are reasonable grounds to suspect someone of the crime. In January 2016, the Swedish Prosecution Authority presented a survey on how prosecutors conduct investigations of hate crime. The survey covers about 300 cases registered as alleged hate crime based on statistics for 2013. Respectful treatment, including legal as well as personal assistance offered to the victim, combined with greater accuracy and quality of the initial hearing of the plaintiff were deemed to be key factors in increasing the number of prosecutions of hate crimes.

10. Based on the results of the survey, the Swedish Prosecution Authority updated their general procedure for the investigation of hate crime. The procedure was presented in December 2016 and will be implemented in all prosecution offices.

11. The Swedish Prosecution Authority and the Swedish Police Authority work together by involving each other in ongoing work to develop methods and various training initiatives regarding hate crime.

12. In its appropriation directions for 2017, the Swedish Prosecution Authority was tasked with reporting on measures taken to strengthen the authority's ability to respond to threats and harassment on the internet. The result of this assignment will be presented in the annual report next year.

The national plan against racism, similar forms of hostility and hate crime

13. The Government adopted a national plan against racism, similar forms of hostility and hate crime on 24 November 2016. The overarching objective of the plan is strategic, effective and coherent work to combat racism, similar forms of hostility and hate crime in Sweden. The plan sets out a structure for coordination and follow-up which lays the groundwork for long-term strategic work.

14. The plan forms a basis and a focus for combating racism and hate crime in strategic areas identified by the Government as particularly important. The strategic areas are as follows: improved coordination and monitoring; enhanced knowledge, education and research; civil society: greater support and in-depth dialogue; strengthening preventive measures online; and a more active justice system. Examples of measures within these strategic areas are presented below.

Improved coordination and monitoring

15. The Living History Forum has been commissioned to coordinate and monitor work within the remit of the national plan to combat racism and hate crime during the period 2016–2019. The agency will regularly organise exchanges of experience, knowledge and information, primarily with agencies working on these issues. Furthermore, the agency will gradually develop a monitoring system encompassing regular reporting based on the information it receives from relevant agencies as well as additional information, e.g. from surveys on attitude and experiences. Each year the Living History Forum will report to the Government, in accordance with its mandate, on developments in the area.

Enhanced knowledge, education and research

16. The Living History Forum is carrying out an extensive education initiative on racism and similar forms of hostility in the past and present. The initiative, which will run until

2019, covers Afrophobia, anti-Semitism, anti-Gypsyism, Islamophobia, racism against the Sami, homophobia and transphobia. The Forum is producing information material on all the different forms of racism, and provides training of school staff in partnership with the Swedish National Agency for Education. In addition, others such as employees of Arbetsförmedlingen (the Swedish Public Employment Service), social workers and police employees will also have an opportunity to participate in the training.

17. During 2017 the Swedish National Agency for Education is carrying out awareness-raising initiatives in schools on the topic of racism. The Agency is producing material to support awareness-raising and is offering training for school staff in partnership with the Living History Forum.

18. Every year from 2016 onwards, the Swedish Research Council is allocating special funding to support research in the area of racism. This will enable a coherent research programme of an international nature, and will gather and strengthen Swedish research in the field.

Civil society: greater support and more in-depth dialogue

19. The Government continuously consults with Jewish, Roma and Sami representatives within the remit of its minority policy. Issues of anti-Semitism, anti-Gypsyism and racism against the Sami are discussed as part of these consultations.

20. From 2017 onwards, the Government will invite participants to attend an annual focused discussion on Afrophobia and Islamophobia, with the aim of facilitating and improving the efficiency of gathering information and other communication on these issues between the Government and civil society organisations.

21. The Swedish Agency for Youth and Civil Society annually allocates funding under the Ordinance on Government Grants to activities to combat racism and similar forms of intolerance. Grants can be given to non-profit organisations and foundations that are not run by the state or local government. In 2016–2020 the Swedish Agency for Youth and Civil Society will increase its allocation of funding to promote activities specifically intended to combat Afrophobia, anti-Semitism, anti-Gypsyism, Islamophobia, racism against the Sami, homophobia and transphobia.

Strengthening preventive measures online

22. The Swedish Media Council is a government agency tasked with empowering children and young people as conscious media users and protecting them from harmful media influences. The Council has been commissioned by the Government to undertake a survey of protection for children and young people on the internet regarding racism, similar forms of hostility and hate crime (2016–2017). The survey will cover the measures put in place by the public sector and civil society in this area and the self-regulatory steps taken by social media actors. The Council will pass on the results of the survey to the relevant actors.

23. The Swedish Media Council has also been commissioned to implement the No Hate Speech Movement campaign during 2017–2020 in order to raise awareness about racism and similar forms of hostility online among children and young people.

24. In 2017, the Government will initiate a dialogue between relevant actors to discuss how racism, similar forms of hostility and hate crime can be prevented and combated, including on social media.

A more active justice system

25. For information on the Swedish Police Authority and the Swedish Prosecution Authority, see above.

26. The plan against racism, similar forms of hostility and hate crime is available in English at: <http://www.government.se/492382/contentassets/e6047ff54c00452895005f07e2e2ba39/a-comprehensive-approach-to-combat-racism-and-hate-crime>.

Paragraph 33 (rights of aliens, including migrants, refugees and asylum seekers)*Respect for the principle of non-refoulement and the Act on Temporary Restrictions on the Possibility of being granted a Residence Permit in Sweden*

27. As for security cases and qualified security cases, we wish to refer to Sweden's seventh periodic report submitted on 29 April 2015. The Act on Temporary Restrictions on the Possibility of being granted a Residence Permit in Sweden entered into force on 20 July 2016. This act does not alter the way the principle of non-refoulement is applied. It restricts the possibility of being granted a residence permit for protection purposes in Sweden and the right to family reunification. It states, for example, that refugees and persons eligible for subsidiary protection in Sweden will be granted temporary residence permits instead of permanent residence permits. Residence permits on humanitarian grounds are not granted unless it would be contrary to Sweden's obligations under international conventions.

28. A refusal-of-entry or expulsion order must at all times be preceded by careful consideration of the submitted grounds to stay in Sweden. If impediments to enforcement of an expulsion order appear to exist or emerge, the enforcement is stopped. See answer to Questions 18 (b) and 19 in Sweden's seventh periodic report. The principle of non-refoulement is reflected in the Swedish Aliens Act (2005:716).

29. The return (i.e. enforcement of an expulsion order) is always handled in accordance with the authorities' internal guidelines, which means that it must be carried out in compliance with the rule of law and with respect for human dignity.

30. The Swedish Migration Agency is constantly working to ensure high legal quality in its decision-making. This covers not only training of new employees but also, for example, methods of individualised risk assessment entailing consideration of the principle of non-refoulement in decision-making in asylum cases.

Detention of migrants and asylum seekers

31. Detention is generally not applied for those who are to return to their home countries. The majority of foreigners detained are persons who are about to be expelled. The grounds for detention are clearly specified in the Swedish Aliens Act, under which detention is to be applied in a manner that does not limit the freedom of foreigners any more than is necessary in each individual case. Wherever possible, supervision is to be used instead of detention. Supervision entails an obligation to report to the Swedish Police Authority or the Swedish Migration Agency at regular intervals. The grounds on which a supervision order may be based are largely the same as for a detention order.

32. Chapter 10, Section 9 of the Aliens Act, specifies the intervals at which a detention or supervision order is to be re-examined. It also stipulates that a detention or supervision order must be set aside immediately if there are no longer any grounds for the order.

33. As a rule, a detained foreigner is placed in a special detention facility operated by the Swedish Migration Agency. In total, at the end of 2016 the Swedish Migration Agency's detention facilities had 357 permanent rooms and 349 persons were detained. The average stay was 26.6 days in 2016, an increase of six days compared to 2015. An individual may have more than one stay in detention. The number of unique individuals who had completed a stay in detention was 3 571 in 2016, compared to 3 750 in 2015.