

STATEMENT UPR PRE-SESSION ON SWEDEN

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RACIAL AND ETHNIC DISCRIMINATION

- Despite previous recommendations to combat and prevent ethnic and racial profiling, no measures have been taken by the government to do so.
- Reports indicate that ethnic and racial profiling occurs in police work.
- Despite warnings that the new law allowing the police to establish stop and search zones could increase discriminatory ethnic and racial profiling, no safeguards have been adopted to prevent such profiling.
- Discriminatory measures by the police are not covered by the Discrimination Act, meaning it is practically impossible for victims to seek legal redress.

Main recommendations:

- **Introduce a prohibition against discriminatory measures by the police in the Discrimination Act.**
- **Give the Police Authority a mandate and necessary funding to prevent discriminatory ethnic and racial profiling by developing guidelines and trainings on how to conduct non-discriminatory stop and searches.**

HATE CRIME

- Despite a significant number of recommendations to combat and eliminate hate crime, the number of solved hate crimes has stayed considerably low. Only 6 percent of the crimes registered in 2020 were solved by May 2023.
- The police lack sufficient resources to effectively investigate hate crimes across Sweden.
- Authorities apply a narrow interpretation of the hate speech legislation, not in line with human rights standards, resulting in cases of hate speech not being prosecuted.

Main recommendations:

- **Adjust the wording of the provision criminalising hate speech in the Criminal Code to clarify that the context in which the speech was delivered will affect the assessment of whether the speech constitutes hate speech.**
- **Instruct the Police Authority to prioritise hate crimes, including crimes against the indigenous Sami people and ear-mark police resources for the investigation of such crimes.**

THE RIGHT TO PROTEST AND FREEDOM OF ASSEMBLY

- A growing number of environmental defenders are being fined for participating in peaceful protests.
- Prosecutors have begun to prosecute climate activists for the serious crime of sabotage for acts that previously were considered as misdemeanours.
- Current legal application has suddenly and unexpectedly led to the use of the sabotage provision to hinder peaceful demonstrations, resulting in a need to review the legislation.

Main recommendations:

- Clarify the wording of the sabotage provision in the Criminal Code to explicitly state that all peaceful expressions of opinion are exempt from criminal liability.
- Refrain from depicting climate activists and peaceful protests as threats against democracy and public security.

SURVEILLANCE MEASURES AND THE RIGHT TO INTEGRITY

- A great amount of new legislation has been enacted regarding the use of secret surveillance measures.
 - Secret surveillance coercive measures introduced, to be used even against individuals not suspected of crime.
 - Inquiries to expand police use of camera surveillance and technology for automatic facial recognition.
- Repeated criminal policy reforms may impede legal consistency and weaken individual protections.
- No compounded evaluation of the consequences of the new and proposed legislation has been made.

Main recommendations:

- **Conduct a thorough review of the proportionality and compounded effects of the new legislation introduced in the area of secret and preventative secret surveillance, to ensure protection of the right to integrity of the person.**

THANK YOU!

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