

**STATEMENT  
UPR Pre-session on Sweden  
Geneva, 21 February 2025  
Delivered by: Civil Rights Defenders**

**Slide 1**

**1. Presentation of Civil Rights Defenders**

This statement is delivered on behalf of Civil Rights Defenders (the former Swedish Helsinki Committee), an independent, not-for-profit organisation working to defend civil and political rights and to support human rights defenders around the world.

**2. National consultations for the drafting of the national report**

Civil Rights Defenders participated in the government-initiated consultation in advance of the drafting of the national report and has also submitted an alternative report in the UPR process.

**3. Plan of the Statement**

This statement addresses the following issues: (1) Racial and Ethnic Discrimination, (2) Hate Crime, (3) The Right to Protest and Freedom of Assembly, (4) Surveillance Measures and the Right to Integrity.

**Slide 2**

**4. Statement**

**I. Racial and Ethnic Discrimination**

In the last UPR review of Sweden, more than 40 recommendations concerned the need to combat racial discrimination. 3 of them related specifically to ethnic and racial profiling by law enforcement. Despite this, no effective measures have been taken by the Swedish government to combat such profiling.

Reports indicate that ethnic and racial profiling occurs in police work. For instance, the accuracy of police suspicion in drug possession checks is the lowest for individuals with mothers born in Africa or Southwest Asia, and the highest for those with mothers from Nordic countries, being twice as accurate.

In early 2024, Sweden enacted a new law that enables the police to establish stop and search zones where individuals can be frisked without reasonable suspicion. Despite warnings of this leading to increased ethnic and racial profiling, no safeguards were adopted to prevent this.

Meanwhile, the Discrimination Act does not prohibit discriminatory measures by the police, and legislation regulating police misconduct rarely apply to racial profiling, making it nearly impossible for victims to seek legal redress.

**Recommendations:**

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

### ***Slide 3***

#### **II. Hate Crime**

In the last UPR review of Sweden, more than 40 of the recommendations adopted concerned hate crime. Yet only 6 percent of hate crimes registered in 2020 were solved by May 2023.

Hate crimes against the indigenous Sami people often occur when they assert their rights, while reports warn that police efforts against hate crimes may be deprioritised without a stronger mandate.

Furthermore, reported antisemitic hate crimes saw a significant rise in 2023, increasing fivefold compared to 2022. In the past three years public Quran burnings have also become more frequent, including in front of mosques and during the month of Ramadan.

Currently, authorities apply a narrow interpretation of hate speech legislation that is not in line with human rights standards, resulting in cases of hate speech not being prosecuted.

#### **Recommendations:**

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

### ***Slide 4***

#### **III. The Right to Protest and Freedom of Assembly**

In recent years, the right to freedom of assembly has increasingly been restricted in Sweden while politicians have been labelling climate activists as security threats. The UN Special Rapporteur on Environmental Defenders has noted that a growing number of environmental defenders in Sweden are increasingly being fined for participating in peaceful protests.

Since 2022, prosecutors have begun prosecuting climate activists for the serious crime of sabotage for acts that were previously considered misdemeanours. In light of this development, scholars and legal professionals have criticised the use of the sabotage provision to hinder the exercise of freedom of assembly. Therefore, there is an urgent need to review the legislation.

#### **Recommendation:**

- 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.

*Slide 5*

**IV. Surveillance Measures and the Right to Integrity**

Since the last UPR review of Sweden, many new laws that increase the use of secret surveillance measures have been enacted, such as interception and surveillance of electronic communications, secret camera surveillance, bugging and secret data surveillance.

Two years ago, preventive surveillance was introduced, enabling law enforcement to use secret coercive surveillance measures against individuals not suspected of crime. Additionally, several other legislative proposals that would expand police use of camera surveillance and technology for automatic facial recognition are underway.

However, no comprehensive evaluation of the aggregated consequences for human rights of the new and proposed legislation has been undertaken, despite warnings from the Swedish Parliamentary Ombudsmen that repeated criminal policy reforms may impede legal consistency and jeopardize rights protection.

**Recommendation:**

- Conduct a thorough review of the proportionality and compounded effects of the new legislation on secret and preventative secret surveillance to ensure protection of the right to integrity of the person.

*Slide 6*

Thank you for your attention.

Civil Rights Defenders has prepared fact sheets on these and other concerns that we have raised in our alternative report.