

**UPR: Sweden
COC Netherlands and RFSL
United Nations Human Rights Council, Geneva. 22nd September 2010**

Mr. President,

We would like to thank Sweden for its positive participation in the UPR process and would like to commend Spain in particular for accepting recommendations:

- 95.45. Continue to increase the active promotion of equality of rights and opportunities, independently of sexual orientation or gender identity, and continue to play its active role at the international level in favour of legal protection against discrimination on the grounds of sexual orientation and gender identity.
- 95.87. Share national best practice and policies on ensuring non-discrimination, including proposals such as to include sexual orientation in the Constitution, with States and relevant international organizations.
- 96.9. Adopt into law the proposed changes to its constitutional framework to provide protection to all persons resident in Sweden against discrimination based on sexual orientation.

During the working group session Sweden shared information about the new Discrimination Act, which reinforces monitoring and for the first time includes new grounds of discrimination, namely age and transgender identity or expression. Whilst this is a positive development, we remain concerned about the existing sterilization requirement for transgender people in order to have their gender changed in their passport. We call upon Sweden to adopt the legislation in order to change this situation. We also recommend Sweden to ensure that in sex reassignment treatment the dignity of the person concerned is respected and that such treatment is available for all transgendered people, which would be in line with the requirements of the new Discrimination Act.

We would also like to recommend to extend the promotion of equality of rights and opportunities in relation to sexual orientation or gender identity to legislation, policies and practices concerning people who seek asylum based on their sexual orientation, gender identity or gender expression. In this context, we encourage Sweden to organise training for decision makers and other staff at the Swedish Migration Board on issues regarding sexual orientation, gender identity and gender expression and human rights.

Finally Mr. President, we recommend that the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity be applied as a guide to assist in policy-making.

Thank you Mr. President.