

# European Union Agency for Fundamental Rights, selection of relevant and recent passages from published reports related to Sweden

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## **Data explorers from FRA reports (LGBT, Violence Against Women, Roma, etc)**

See <http://fra.europa.eu/en/publications-and-resources/data-and-maps> for specific survey-based data concerning violence against women, LGBT, Roma, etc, including country comparisons and maps in data explorers.

## **Fundamental rights: challenges and achievements in 2013 (June 2014)**

[http://fra.europa.eu/sites/default/files/fra-2014-annual-report-2013\\_en.pdf](http://fra.europa.eu/sites/default/files/fra-2014-annual-report-2013_en.pdf)

## 1 Asylum, immigration and integration

“States which lack effective monitoring systems, according to the FRA’s assessment, *participated* in 36 of a total of 39 joint return flights in 2013. Four of them (France, Ireland, Italy and **Sweden**) were responsible for *organising* seven of these operations. More than half of the persons returned in JROs in 2013 (1,215 of a total 2,152 returnees) were returned without monitoring on the flight. In some cases, the organising EU Member State invited observers from other Member States to monitor the return on its behalf, which is possible under the *Code of Conduct for Joint Return Operations coordinated by Frontex*. In 2013, Germany, **Sweden**, France and Spain made use of this possibility.” (p. 54)

## 4 The rights of the child and the protection of children

“Children’s ombudspersons from five Nordic countries (the EU Member States Denmark, Finland and **Sweden**, as well as Iceland and Norway) agreed in September to work with their respective governments to restrict male circumcision so that it is no longer performed on non-consenting, underage boys for non-medical reasons.” (pp. 119 – 120)

“Similar results came up in a research published by the Ombudsman for Children (*Barnombudsmannen*) in **Sweden** about the situation of children in police cells and in remand prisons. Children met by the researchers described police cell staff who are tyrannical and use various means to break the child’s spirit. These might be threats, fear of physical violence, put-downs and various power games. More positively, the findings also show that, in the context of investigative custody, prison staff only rarely use their power to put the young inmates down. No child reported that he or she was afraid of the staff at the remand prison, or had experienced threats or fear of physical violence.” (p. 120)

## 6 Racism, xenophobia and related intolerance

“Discriminatory ethnic profiling is unlawful, yet it persists, thereby contributing to the deterioration of social cohesion and to loss of trust in law enforcement. Evidence of such profiling was found in Austria, Finland, Germany, Greece, Ireland, the Netherlands, **Sweden**, Spain and the United Kingdom (see below).” (p. 155)

### Promising practice

#### Acknowledging racist crime: mapping Afrophobia in **Sweden**

The authorities in Sweden refer to racism and discrimination against black persons as Afrophobia. Little is known yet about the phenomenon, but the Swedish National Council for Crime Prevention (*Brottsförebyggande rådet*) shows that the number of recorded Afrophobic crimes in the country is increasing steadily, with about one in five of such crimes recorded in 2012 being of a violent nature.

Acknowledging the issue, the Swedish government commissioned an NGO (*Mångkulturellt Centrum*) to map racism and discrimination against persons of African descent in Sweden. This mapping will review official hate crime data and highlight examples of good practice to counter Afrophobia, with a particular focus on awareness-raising activities for children and youth. The results are expected to be published in January 2014.

For more information, see Arbetsmarknadsdepartementet (2013). *Mångkulturellt centrum ska kartlägga afrofobi*, available at: [www.regeringen.se/sb/d/17988/a/229303](http://www.regeringen.se/sb/d/17988/a/229303)

(p. 162)

**Table 6.1: Status of official data collection on racist, anti-Roma, antisemitic and Islamophobic/anti-Muslim crime in EU Member States, December 2013**

Limited data	Good data	Comprehensive data
<i>Few incidents and a narrow range of bias motivations are recorded Data are usually not published</i>	<i>A range of bias motivations are recorded Data are generally published</i>	<i>A range of bias motivations, types of crimes and characteristics of incidents are recorded Data are always published</i>
Bulgaria Cyprus Estonia Greece Hungary Italy Latvia Luxembourg Malta Portugal Romania Slovenia	Austria Belgium Croatia Czech Republic Denmark France Germany Ireland Lithuania Poland Slovakia	Finland Netherlands <u>Spain</u> Sweden United Kingdom

*Note: Spain is underlined as its official data collection on racist and related crime became comprehensive, see first paragraph below.*

*Source: FRA, 2013*

(p. 167)

## 7 Roma integration

“In September, it was discovered that police in southern Sweden had kept a register with the names of thousands of Roma Swedes, including children and some deceased persons. An investigation determined that the register had several illegal aspects, even though it was not based on ethnicity.” (pp. 180 – 181)

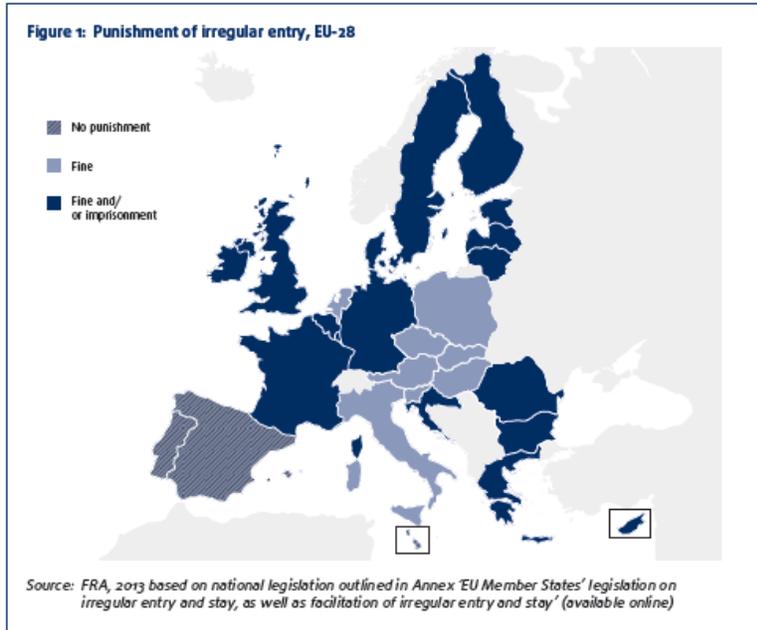
## 9 Rights of crime victims

“Sweden initiated an electronic information flow in criminal procedures to shorten the length of criminal proceedings. It also improved citizen’s e-services, making it possible, for example, for parties to litigation to follow their cases through the proceedings more effectively.” (p. 211)

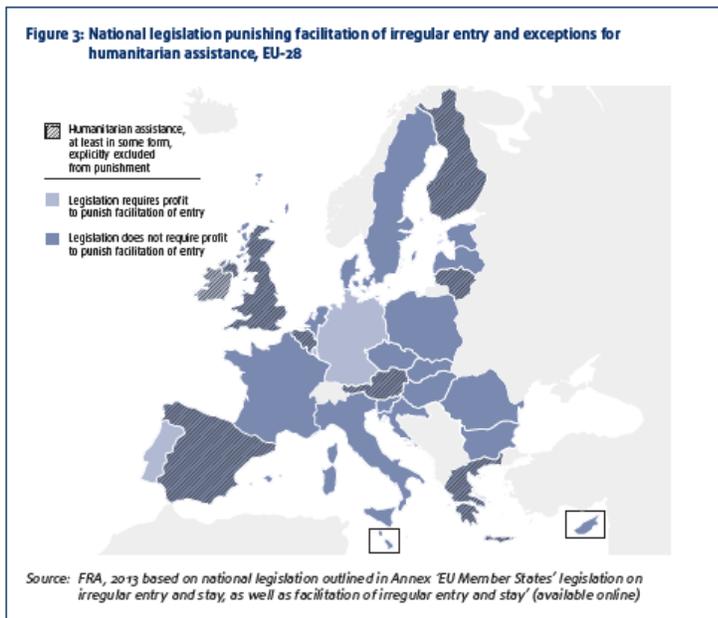
“[...] Sweden took steps in 2013 to better compensate crime victims. [...] Sweden simplified the application procedure for criminal injuries compensation by producing a simplified, electronic form.” (p. 225)

## Criminalisation of migrants in an irregular situation and of persons engaging with them (March 2014)

[http://fra.europa.eu/sites/default/files/fra-2014-criminalisation-of-migrants\\_en.pdf](http://fra.europa.eu/sites/default/files/fra-2014-criminalisation-of-migrants_en.pdf)



(p. 4)



(p. 10)

## Violence against women: an EU-wide survey (March 2014)

[http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results\\_en.pdf](http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results_en.pdf)

Table 2.3: Women who have experienced physical and/or sexual violence in the 12 months before the interview, by type of perpetrator and EU Member State (%)<sup>a</sup>

EU Member State	Current partner <sup>b</sup>	Previous partner <sup>c</sup>	Any partner (current and/or previous) <sup>d</sup>	Non-partner <sup>e</sup>	Any partner and/or non-partner <sup>e</sup>
AT	(2)	(2)	3	2	5
BE	4	4	6	7	11
BG	6	(5)	6	3	8
CY	(2)	(2)	3	2	5
CZ	3	(2)	4	5	8
DE	3	(1)	3	6	8
DK	4	(2)	4	8	11
EE	(3)	(1)	(2)	3	5
EL	5	3	6	2	7
ES	(1)	(1)	(2)	2	4
FI	4	(2)	5	7	10
FR	4	4	5	7	11
HR	(2)	(1)	3	3	5
HU	5	4	6	5	9
IE	(2)	3	3	5	8
IT	5	(5)	6	4	7
LT	4	(1)	4	2	6
LU	(2)	(2)	(3)	4	7
LV	6	(1)	5	(2)	6
MT	2	(4)	4	2	5
NL	4	(3)	5	7	11
PL	2	(1)	2	3	4
PT	4	(4)	5	(2)	6
RO	6	(3)	6	2	7
SE	(2)	4	5	7	11
SI	(1)	(1)	(2)	(2)	3
SK	7	(2)	6	5	10
UK	(2)	4	5	5	8
EU-28	3	3	4	5	8

Notes: <sup>a</sup> Results based on a small number of responses are statistically less reliable, so observations based on fewer than 30 responses are put in brackets and observations based on fewer than five responses are suppressed (denoted with '-').

<sup>b</sup> Out of all women who were married, living together with someone without being married, or involved in a relationship (without living together) at the time of the interview (n = 30,675).

<sup>c</sup> Out of all women who had, in the past, been married, living together with someone without being married, or involved in a relationship (without living together) at least once (n = 25,870).

<sup>d</sup> Out of all women who were married, living together with someone without being married, or involved in a relationship (without living together) at the time of the interview or at any time in the past (n = 40,192).

<sup>e</sup> Out of all respondents (N = 42,002).

Source: FRA gender-based violence against women survey dataset, 2012

(p. 34)

Table 3.5 Women who indicate that the most serious incident of violence came to the attention of the police, by type of perpetrator (%)<sup>a,b</sup>

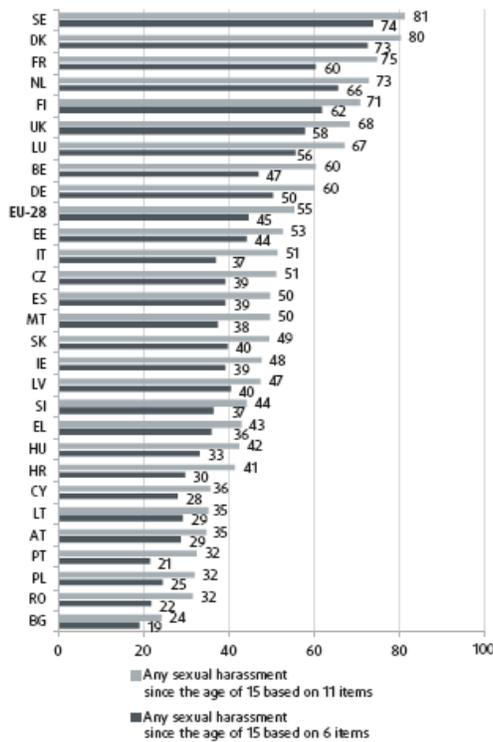
EU Member State	Partner violence	Non-partner violence	EU Member State	Partner violence	Non-partner violence
AT	19	(18)	IT	19	(18)
BE	27	21	LT	30	(17)
BG	17	22	LU	31	19
CY	(27)	(9)	LV	21	13
CZ	14	(9)	MT	28	23
DE	15	17	NL	18	21
DK	10	16	PL	28	(29)
EE	11	(11)	PT	23	(21)
EL	14	(17)	RO	23	23
ES	24	17	SE	17	14
FI	10	15	SI	(18)	(21)
FR	18	18	SK	12	14
HR	22	20	UK	25	26
HU	16	(12)	EU-28	20	19
IE	28	24	<i>n</i>	7,278	6,084

Note: <sup>a</sup> Incidents that 'came to the attention of the police' include incidents reported to the police by the victims, incidents where somebody else than the victim reported it to the police and incidents where police came to know about the incident on their own.  
<sup>b</sup> Results based on a small number of responses are statistically less reliable, so observations based on fewer than 30 responses are put in brackets and observations based on fewer than five responses are suppressed (denoted with '-').  
Source: FRA gender-based violence against women survey dataset, 2012

(p. 61)

Table 5.1: Prevalence of stalking since the age of 15 and in the 12 months before the interview, by EU Member State (%)

Figure 6.2: Prevalence of sexual harassment since the age of 15, based on full and short sets of items measuring sexual harassment, by EU Member State (%)<sup>a,b,c</sup>



Notes: a Out of all respondents (N = 42,002).  
 b Full set includes all 11 items used in the questionnaire to measure sexual harassment (see Box 6.1).  
 c The short set includes the following six items: 'Unwelcome touching, hugging or kissing', 'Sexually suggestive comments or jokes that made you feel offended', 'Somebody indecently exposing themselves to you', 'Sexually explicit emails or SMS messages that offended you', 'Sending or showing sexually explicit pictures, photos or gifts that made you feel offended', 'Someone made you watch or look at pornographic material against your wishes'.  
 Source: FRA gender-based violence against women survey dataset, 2012

(p. 99)

## Access to data protection remedies in EU Member States (January 2014)

[http://fra.europa.eu/sites/default/files/fra-2014-access-data-protection-remedies\\_en.pdf](http://fra.europa.eu/sites/default/files/fra-2014-access-data-protection-remedies_en.pdf)

“The most common course of action taken by DPAs is issuing a fine or pecuniary sanction, as reported in 19 EU Member States. For example, the DPA in Cyprus issued fines in 20 cases between 2009 and 2011. During the same time period, the Spain’s DPA issued 1715 fines, Czech Republic’s DPA issued 279 fines, Estonia’s issued 101, Latvia’s 63, Romania’s 148, Slovakia’s 45, **Sweden**’s two and the United Kingdom’s nine.” (p. 21)

## Discrimination and hate crime against Jews in EU Member States: experiences and perceptions of antisemitism (November 2013)

[http://fra.europa.eu/sites/default/files/fra-2013-discrimination-hate-crime-against-jews-eu-member-states\\_en.pdf](http://fra.europa.eu/sites/default/files/fra-2013-discrimination-hate-crime-against-jews-eu-member-states_en.pdf)

“Antisemitism was rated among the three most pressing social and political issues in France, Germany and **Sweden** (85 %, 61 % and 60 %, respectively, considered it ‘a very big’ or ‘a fairly big problem’).” (p. 15)

“In the remaining countries surveyed, about one third of the respondents (Italy, 43 %; Germany, 33 %; the United Kingdom, 31 %; **Sweden**, 30 %) or less (Latvia, 23 %) consider the vandalism of Jewish buildings to be ‘a very big’ or ‘a fairly big problem’.” (p. 19)

“In **Sweden** and the United Kingdom, less than half of all respondents consider that anti-Semitic content is ‘a very big’ or ‘a fairly big problem’ in three of the four arenas, with the exception of antisemitism on the internet, for which respondents living in those two countries also give a higher rating, seeing it as a problem.” (p. 21)

“Half of the respondents in France (56 %) and one third of the respondents in **Sweden** (33 %) said they frequently hear or see statements implying that Jews have too much power in the country (Table 4).” (p. 23)

“In Germany and **Sweden**, about one in five respondents indicated that they have felt discriminated against in the past 12 months on the basis of their ethnic background (18 %, and 16 %, respectively).” (p. 54)

## Legal capacity of persons with intellectual disabilities and persons with mental health problems (July 2013)

<http://fra.europa.eu/sites/default/files/legal-capacity-intellectual-disabilities-mental-health-problems.pdf>

“Finally, two EU Member States, Germany and **Sweden**, have abolished their guardianship systems as a protective measure and put other, less intrusive, forms in place.” (p. 30)

“By abolishing guardianship, Germany and **Sweden** have allowed the individual to retain a certain degree of legal capacity. [...] **Sweden** replaced guardianship with two alternative measures of assistance [...] the court can appoint a mentor (*god man*) or trustee (*förvaltare*). A curator offers assistance without limiting the individual’s legal capacity to act. A trustee, in contrast, is appointed when an individual is unable to take care of him- or herself or his or her property; a trustee does not need consent from the person with a disability to take a legally binding decision. The trustee’s mandate stipulates the concrete restrictions to legal capacity.” (p. 31)

“About half of EU Member States explicitly provide in their national legal frameworks for the person concerned to request a restriction of his or her legal capacity. This is the case in Austria, Denmark, Estonia, Finland, France, Germany, Greece, Italy, Luxembourg, Slovakia, Slovenia, Spain, **Sweden** and the United Kingdom.” (p. 35)

“In **Sweden**, when a person is under trusteeship, he or she is still allowed to enter into an employment contract, spend his or her salary and control other financial issues, such as insurance policies or savings from retirement plans.” (p. 37)

“FRA research shows that the person under guardianship can appeal the decision affecting his or her legal capacity in many EU Member States, for example Austria, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Luxembourg, Poland, Spain, **Sweden** and the United Kingdom. In those Member States, the person under guardianship, as well as other persons ‘involved’ in the procedure, can also appeal the deprivation of legal capacity. This includes relatives of the person placed under guardianship, the guardian and/or a state authority, such as a public prosecutor.” (p. 39)

## **Fundamental rights: challenges and achievements in 2012 (June 2013)**

[http://fra.europa.eu/sites/default/files/annual-report-2012\\_en.pdf](http://fra.europa.eu/sites/default/files/annual-report-2012_en.pdf)

### **1 Asylum, immigration and integration**

“In **Sweden**, the government agreed to provide access to healthcare for migrants in an irregular situation at the same level as for asylum seekers. This covers healthcare which cannot be postponed, including maternity care.<sup>49</sup> Children will have full healthcare access. Regional governments (*landsting*) may further regulate access on a par with residents. The new rules are expected to enter into force on 1 July 2013.” (p. 48)

“Not all EU Member States that participate in Frontex-coordinated return operations have, according to FRA’s assessment, an effective system for return monitoring (Finland, Italy, Spain and **Sweden**). In 2012, three of these Member States organised 14 of a total 38 joint return operations (Italy, Spain and **Sweden**).” (p. 56)

“By the end of 2012, however, only six EU Member States (Denmark, Estonia, Finland, Italy, the Netherlands and **Sweden**) had ratified the Council of Europe’s Convention on the Participation of Foreigners in Public Life at Local Level.” (p. 59)

### **5 Equality and non-discrimination**

“National courts also examined a legal issue related to mandatory retirement at a certain age. A court in **Sweden** (*Södertörns tingsrätt*), for instance, requested for a preliminary CJEU ruling on Swedish national legislation providing for automatic termination of an employment contract on the sole ground that the employee had reached the age of 67, without taking into account the amount of retirement pension the person concerned would receive. The CJEU, interpreting Article 6 (1) of the Employment Equality Directive, ruled that such legislation could be permitted if it was objectively and reasonably justified by a legitimate aim relating to labour-market policies and if it served as an appropriate and necessary means to achieve that aim.” (p. 146)

### **6 Racism and ethnic discrimination**

“The authorities in two Member States published data on anti-Roma crime in 2012: the Czech Republic and **Sweden** (Table 6.3). These data show an increase in anti-Roma crime recorded in Sweden between

2010 and 2011, while the Czech Republic published such data for the first time in 2012. [...]Concerning recorded antisemitic crime, the authorities in Austria, the Czech Republic, Finland, France and Germany reported decreases between 2010 and 2011, with increases reported in the Netherlands and **Sweden**. The authorities in five EU Member States published data on Islamophobic/anti-Muslim crime in 2012: Austria, Denmark, Finland, France and **Sweden** (Table 6.5). The Austrian authorities reported a decrease in Islamophobic/ anti-Muslim crime between 2010 and 2011, while those in France and **Sweden** reported increases during that period.” (p. 182)

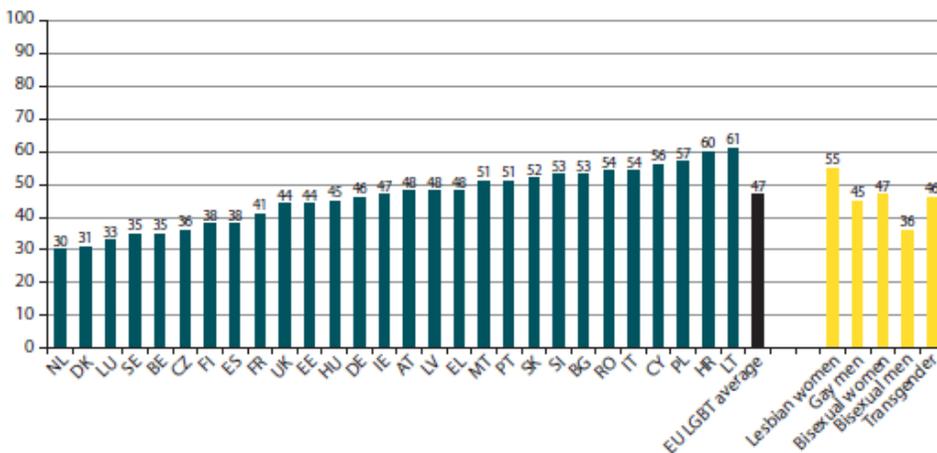
## 8 Access to efficient and independent justice

“One particularly noteworthy 2012 development relates to the EAW. The five Nordic countries (three of which are EU Member States: Denmark, Finland and **Sweden**) issued a statement on a common Nordic procedure to regulate the handing over of a suspect or accused person to the authorities in another state – a surrender procedure.<sup>34</sup> The statement followed up the entry into force on 16 October 2012 of a Convention on surrender procedures between the Nordic countries (Nordic Arrest Warrant, NAW). Since the NAW requires closer cooperation than the EAW, the Nordic EU Member States will rely on the NAW instead of the EAW.” (p. 238)

## EU LGBT survey - European Union lesbian, gay, bisexual and transgender survey - Results at a glance (May 2013)

[http://fra.europa.eu/sites/default/files/eu-lgbt-survey-results-at-a-glance\\_en.pdf](http://fra.europa.eu/sites/default/files/eu-lgbt-survey-results-at-a-glance_en.pdf)

Figure 1: Respondents who felt discriminated against or harassed in the last 12 months on the grounds of sexual orientation, by country and by LGBT subgroup (%)



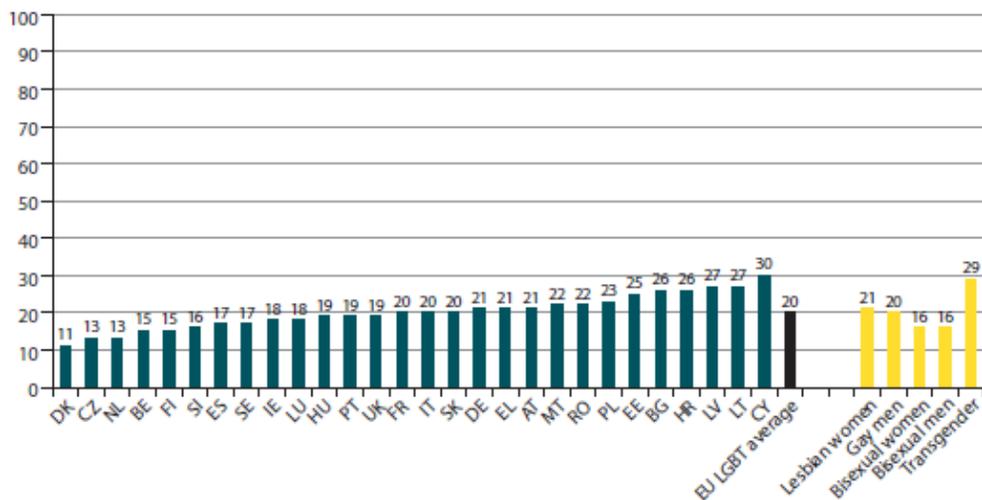
Question C2: In the last 12 months, in the country where you live, have you personally felt discriminated against or harassed on the basis of one of more of the following grounds? Answer: C. Sexual orientation. Base: All EU LGBT survey respondents.

Source: FRA, EU LGBT survey, 2012



(p. 15)

Figure 2: Respondents who felt discriminated against in the last 12 months when looking for a job and/or at work because of being LGBT, by country and LGBT subgroup (%)



Question C4. During the last 12 months, have you personally felt discriminated against because of being [LGBT] in any of the following situations?  
 Answer: A. When looking for a job; B. At work. Base: EU LGBT survey respondents who were looking for a job or who worked/were employed in the past 12 months.  
 Source: FRA, EU LGBT survey, 2012

(p. 16)

## Inequalities and multiple discrimination in access to and quality of healthcare (March 2013)

[http://fra.europa.eu/sites/default/files/inequalities-discrimination-healthcare\\_en.pdf](http://fra.europa.eu/sites/default/files/inequalities-discrimination-healthcare_en.pdf)

“However, the fourth ground, age, is not covered in regard to healthcare in Italy and **Sweden**, which means that in these EU Member States a claim for discrimination in healthcare on the ground of age cannot be made.” (p. 7)

“Most of the rights set out in the WHO’s Declaration on the Promotion of Patients’ Rights in Europe are covered by the national legislation of the five EU Member States surveyed. **Sweden** is, however, the only state to protect the right to translation or interpretation support, although it is up to local authorities to decide when and how to apply this right.” (p. 27)

“The research found no court cases in any of the five EU Member States where multiple discrimination was claimed in healthcare. In addition, court cases on discrimination on a single ground in the five states were quite rare and were found only in **Sweden**. This leads to the conclusion that the existing anti-

discrimination legal framework does not in practice have an impact in cases of discrimination in healthcare, according to the legal experts interviewed.” (p. 29)

“Migrant mortality rates are: higher than the general population in **Sweden** and in the Czech Republic among the Roma population; similar in Austria; and lower in Italy.” (p. 39)

“In **Sweden**, for example, almost 18 % of foreign-born women report unmet medical needs against almost 14 % of native women and of foreign born-men.” (p. 41)

“Persons with intellectual disabilities in **Sweden** and the United Kingdom identified accusations of feigning illness and the association of intellectual or psycho-social disability with somatic health issues as a particular problem.” (p. 69)

“In **Sweden** and the United Kingdom, interviewees specifically described feeling that the perceived malpractice was the result of discrimination on multiple or intersectional grounds, most notably sex and ethnicity, and ethnic background and disability.” (p. 73)

# EU-MIDIS Data in Focus Report 6: Minorities as Victims of Crime (November 2012)

[http://fra.europa.eu/sites/default/files/fra-2012-eu-midis-dif6\\_0.pdf](http://fra.europa.eu/sites/default/files/fra-2012-eu-midis-dif6_0.pdf)

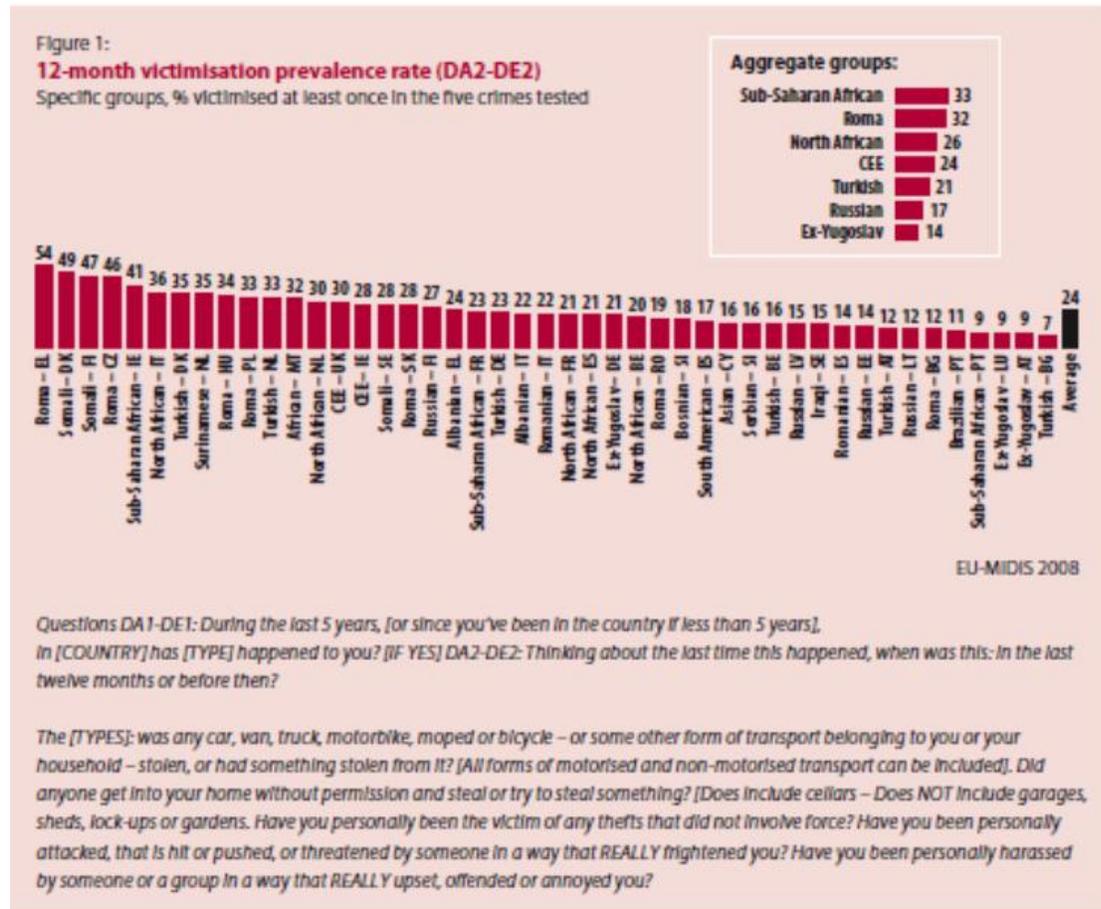


Figure 1,

“12-month victimisation prevalence rate” (p. 8)

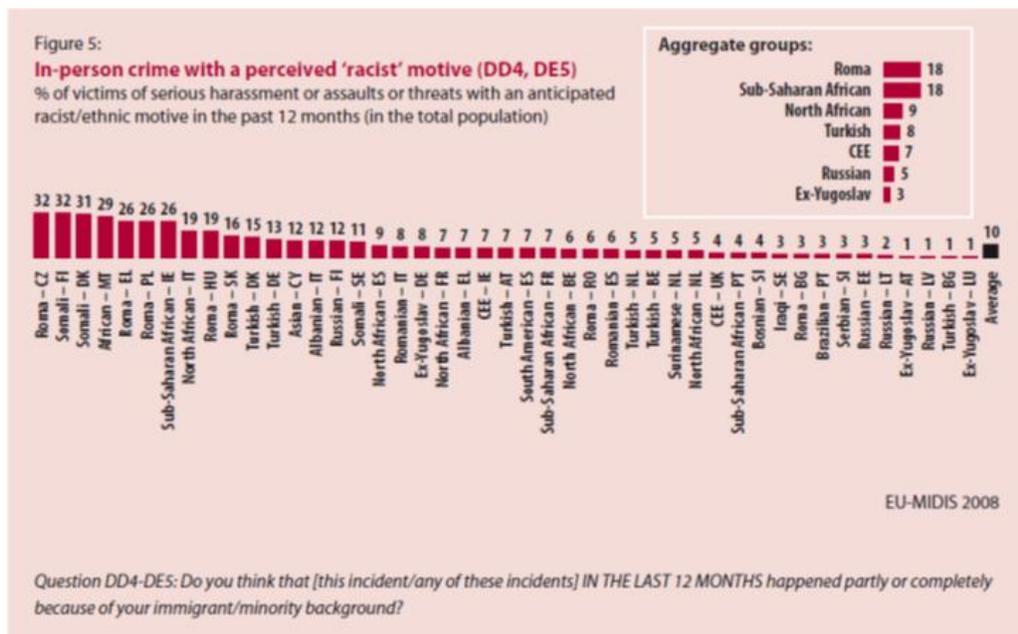


Figure 5, “In-person crime with a perceived ‘racist’ motive” (p. 11)

## Making hate crime visible in the European Union: acknowledging victims' rights (November 2012)

[http://fra.europa.eu/sites/default/files/fra-2012\\_hate-crime.pdf](http://fra.europa.eu/sites/default/files/fra-2012_hate-crime.pdf)

“A much larger group – Austria, Croatia, the Czech Republic, Denmark, Finland, France, Greece, Italy, Latvia, Lithuania, Malta, the Netherlands, Romania, Spain and **Sweden** – opted instead to make racist and xenophobic motivation an aggravating circumstance, sometimes in addition to qualified criminal law definitions.” (p. 27)

“Comprehensive data collection mechanisms recording a variety of bias motivations, characteristics of victims and perpetrators and further information on incidents are in place in Finland, the Netherlands, **Sweden** and the United Kingdom. [...] In **Sweden**, data on hate crime are compiled annually by the national council for crime prevention (*Brottsförebygganderådet*, Brå) in its report on hate crime (*Hatbrott*). This report consists primarily of statistical summaries of hate crimes reported to the police. Brå identifies hate crimes based on searches and examinations of the narrative included in police reports. In 2008, hate crime was redefined, expanding its scope to include offences between minority groups and offences by minority groups against majority groups. New motives were also added to the definition of hate crime, such as that targeting ‘Afro-Swedes’ and Roma.” (p. 40)

“Data collection mechanisms in **Sweden** account for the nature of the contact between the victim and the perpetrator, such as direct contact, vicinity, and distance; the scene of the crime; the relationship between the victim and the perpetrator; the type of crime; and the regional distribution of crimes.” (p. 41)

## **Fundamental rights: challenges and achievements in 2011 (June 2012)**

[http://fra.europa.eu/sites/default/files/fra\\_uploads/2211-FRA-2012\\_Annual-Report-2011\\_EN.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/2211-FRA-2012_Annual-Report-2011_EN.pdf)

### **Focus: Bringing rights to life: the fundamental rights landscape of the European Union**

“Under EU law, in the area of non-discrimination and gender equality, all Member States have an obligation to establish and have, in fact, established, national equality bodies responsible for promoting equal treatment in the areas of racial or ethnic equality and gender equality. [...] In some countries, the existence of such bodies pre-dates EU legislation (such as Belgium, Ireland, the Netherlands, **Sweden** and the United Kingdom) [...]” (p. 14)

### **1 Asylum, immigration and integration**

“In four other countries (Estonia, Finland, France and **Sweden**) the deadline to appeal a decision in the accelerated procedure is the same as in the regular procedure, but the right to stay in the country during the appeals process is not granted automatically, but rather on a case-by-case basis by the reviewing court or tribunal.” (p. 42)

“The Social Report series published annually by the National Board of Health and Welfare (*Socialstyrelsen*) in **Sweden** also indicate that homelessness among migrants is increasing. It also highlights the vulnerability of migrant groups and the prevalence of ethnic segregation in housing.” (p. 60)

### **3 Information society and data protection**

“To implement the Data Retention Directive, **Sweden** presented a bill in late 2010 on the retention of traffic data for law enforcement purposes. The Green party, Sweden Democrats and the Left Party, however, pushed through a minority vote, further delaying the directive’s transposition. The Parliament will not now consider it before 17 March 2012.” (p. 91)

## 5 Equality and non-discrimination

The Equality Ombudsman (*Diskrimineringsombudsmannen*) in **Sweden** reached a settlement with a school in Stockholm that had banned a female student from wearing a headscarf during classes. The Equality Ombudsman brought an action against the school for discrimination on the grounds of religion and sex. The parties reached an agreement that awarded the student SEK 40,000 (about €4,500). The school's new president abolished the clothing rules in August 2011. In a similar case, a high school student who wore a headscarf to an introductory meeting for summer internships was subsequently denied an internship. The Equality Ombudsman began proceedings alleging discrimination on the grounds of sex and religion, but the case was dismissed for procedural reasons." (p. 128)

"The National Board of Health and Welfare in **Sweden** presented the results of an inquiry on care and support for transgender people. According to current legislation, to undergo gender reassignment surgery a person must be older than 18 years of age, a Swedish citizen, sterilised and unmarried. The report called for an end to the requirement that all those seeking gender reassignment must be unmarried and sterilised." (p. 135)

## 6 Racism and ethnic discrimination

The local antidiscrimination agency in Uppsala, **Sweden**, received a complaint from a Roma woman who had been prohibited from wearing a traditional Roma skirt to work. The woman, who had previously worn the skirt while completing her internship at the grocery store, had not received any complaints prior to this. When her internship ended she was offered more hours in the shop. Her new manager asked her to wear trousers to work since skirts did not comply with the company's dress policy. Although the woman explained that she could not wear trousers because of her ethnic origin, the manager persisted with the requirement. The case was forwarded to the Equality Ombudsman, who eventually reached a settlement with the store, and the woman in question was awarded SEK 75,000 (€7,000) in damages." (p. 172)

## 7 Participation of EU citizens in the Union's democratic functioning

"In **Sweden**, electoral authorities conducted wide-ranging information campaigns directed at persons with disabilities in order to encourage their participation." (p. 188)

## Choice and control: the right to independent living (June 2012)

[http://fra.europa.eu/sites/default/files/choice\\_and\\_control\\_en\\_13.pdf](http://fra.europa.eu/sites/default/files/choice_and_control_en_13.pdf)

“**Sweden** was one of the first countries in Europe to implement a deinstitutionalisation process, and currently has no institutions for people with intellectual disabilities.” (p. 22)

“Respondents in **Sweden** commented that the transport provided them was cumbersome and did not give them equal opportunities to be mobile [...]” (p. 31)

“**Sweden** is the only country of the nine covered in the research that has developed legal provisions on the right to living arrangements and support (Law on Special Support and Services for Persons with Disabilities, LSS). The aim of this support scheme is to give people with intellectual disabilities more freedom to participate in mainstream daily activities and thereby to counteract their isolation. Under the LSS, persons with disabilities can benefit from one or more of the following services: personal assistance, companion services, contact person (support person), relief service in the home, short-term minding of school children over 12, short stay away from home (respite care), group homes for children and adults, daily activities, counselling and other personal support.

“In **Sweden**, respondents and stakeholders spoke of the challenges in interacting with a wide range of welfare agencies, most importantly the public employment service, the social insurance office and the local healthcare centre (primary care), because of differences in their structures and functions. This was attributed to the complex and reportedly fragmented structure of the welfare system.” (p. 37)

## Involuntary placement and involuntary treatment of persons with mental health problems (June 2012)

[http://fra.europa.eu/sites/default/files/involuntary-placement-and-involuntary-treatment-of-persons-with-mental-health-problems\\_en.pdf](http://fra.europa.eu/sites/default/files/involuntary-placement-and-involuntary-treatment-of-persons-with-mental-health-problems_en.pdf)

“In the United Kingdom, **Sweden** and France a person can be allowed to leave hospital if they comply with certain conditions. Adherence to these conditions is a requirement for remaining an outpatient and living in the community.” (p. 44)

“Stakeholders in Latvia and **Sweden** said that people with mental health problems are frequently not informed of their diagnosis. In Sweden, a psychiatrist at the stakeholder focus group observed that

compulsion is used more frequently than communication largely as a result of staff time constraints.” (p. 46)

“For example, in **Sweden**, if compulsory care is to be provided beyond a six-month period, a court decision is required, in accordance with the Compulsory Psychiatric Care Act. The viewpoint of user organisations taking part in this focus group was that when the issue of further compulsory care was discussed in court, although an individual had access to justice, in practice they were not usually given the opportunity to choose a lawyer or the special psychiatrist who provided information to the court..” (p. 49)

### **Fundamental rights of migrants in an irregular situation in the European Union (November 2011)**

[http://fra.europa.eu/sites/default/files/fra\\_uploads/1827-](http://fra.europa.eu/sites/default/files/fra_uploads/1827-)

[FRA 2011 Migrants in an irregular situation EN.pdf](#)

“Indeed, the assessment of civil society experts’ responses show that the apprehension of migrants in an irregular situation at or near service providers seem to take place in a regular manner only in five EU Member States (Cyprus, Denmark, Greece, Ireland and **Sweden**).” (p. 42)

### **Migrants in an irregular situation: access to healthcare in 10 European Union Member States (October 2011)**

[http://fra.europa.eu/sites/default/files/fra\\_uploads/1925-FRA-2011-fundamental-rights-for-irregular-migrants-healthcare\\_EN.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/1925-FRA-2011-fundamental-rights-for-irregular-migrants-healthcare_EN.pdf)

### **Migrants in an irregular situation employed in domestic work: Fundamental rights challenges for the European Union and its Member States (July 2011)**

[http://fra.europa.eu/sites/default/files/migrants\\_in\\_an\\_irregular\\_situation\\_employed\\_in\\_domestic\\_work\\_en.pdf](http://fra.europa.eu/sites/default/files/migrants_in_an_irregular_situation_employed_in_domestic_work_en.pdf)

“Several migrants in **Sweden**, Ireland, Belgium, France, Spain, Italy and Greece reported being paid far less than the legal minimum salary. [...] On occasion employees agree with employers on a fixed

remuneration before the work has been done, and eventually receive less than agreed upon. This was reported by migrants and NGOs in Ireland, **Sweden**, Italy and Germany. [...].” (p. 23)

“Other interviewees in Germany, **Sweden** and Italy mentioned instances of sexual abuse by employers.” (p. 41)

“Several respondents in Italy, **Sweden**, Belgium and France reported having been refused access to childcare because of their irregular status or because they were not able to provide the required employment declaration or residence registration.” (p. 47)

## **Homophobia, transphobia and discrimination on grounds of sexual orientation and gender identity in the EU Member States (June 2011)**

[http://fra.europa.eu/sites/default/files/fra\\_uploads/1659-FRA-homophobia-synthesis-report-2011\\_EN.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/1659-FRA-homophobia-synthesis-report-2011_EN.pdf)

“In some Member States, public authorities have not been able or willing to ensure the safety of participants in LGBT demonstrations from attacks by counter-demonstrators. Within the past five years, attacks of this kind have occurred in Bulgaria, Czech Republic, Estonia, Hungary, Italy, Latvia, Poland, Romania, Slovakia and **Sweden**. Such incidents were often accompanied by homophobic public statements or abusive speech.” (p. 17)

“Currently, Belgium, the Netherlands, Portugal, Spain and **Sweden** enable same-sex couples to be legally married. For the purposes of entry and residence rights under the Free Movement Directive, eight Member States would not distinguish between a same-sex or an opposite-sex spouse for the purposes of entry and residence rights (Belgium, Denmark, Finland, the Netherlands, Portugal, Spain, **Sweden**, and the UK).” (p. 28)

## **Access to justice in Europe: an overview of challenges and opportunities (March 2011)**

[http://fra.europa.eu/sites/default/files/fra\\_uploads/1520-report-access-to-justice\\_EN.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/1520-report-access-to-justice_EN.pdf)

“Trade unions in some Member States also provide financial assistance to cover the legal costs of those involved in disputes. They are also able to initiate legal proceedings upon satisfaction of certain criteria

in the following Member States: Belgium, Bulgaria, Denmark, France, Italy, Malta, the Netherlands, Poland, Romania, Spain and **Sweden**.” (p. 39)

“In **Sweden** and Denmark, legal claims are primarily financed by the private sector through the medium of legal expenses insurance. In fact, it seems that a kind of ‘subsidiarity’ principle exists between such insurance and legal aid. The rule is that where individuals have legal expenses insurance, they will not normally be entitled to free legal aid and will have to use their insurance.” (p. 53)