



Office for Democratic Institutions and Human Rights

**Information Submitted to the
Office of the United Nations High Commissioner for
Human Rights
as a Stakeholder in the
Universal Periodic Review of Sweden**



WARSAW, JULY 2014

The following information is submitted by the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR) about an OSCE participating State under consideration in the Universal Periodic Review process:

Participating State: Sweden

UPR Session: 21st Session

Background

Sweden is a participating State in the Organization for Security and Co-operation in Europe (OSCE) and has thus undertaken and recently reaffirmed a wide range of political commitments in the “human dimension” of security as outlined in relevant OSCE documents.¹ The OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) has been mandated by OSCE participating States, including Sweden, to assist them in implementing their human dimension commitments. OSCE/ODIHR assistance includes election observation and assessment activities as well as monitoring and providing assessments, advice and recommendations relating to the implementation of commitments in the fields of human rights, democracy, tolerance and non-discrimination, and the situation of Roma and Sinti in the OSCE area. The present submission provides publicly available country-specific information that may assist participants in the Universal Periodic Review process in assessing the situation in Sweden and its implementation of past recommendations, as well as to formulate new recommendations that may be relevant to enhancing the enjoyment of human rights and fundamental freedoms in the country.

General Elections, 19 September 2010

In response to an invitation from the Ministry for Foreign Affairs of Sweden, the OSCE/ODIHR undertook a Needs Assessment Mission (NAM) to Sweden from 9 to 11 June 2010 for the 19 September 2010 General Elections. The NAM report noted the profound confidence of political parties in the integrity of the electoral process and in the professionalism and impartiality of the election administration. No significant concerns were expressed related to the functioning of democratic institutions, the respect for fundamental freedoms, the transparency of the electoral process, candidate registration, the campaign environment, media access and election day proceedings. Therefore, the OSCE/ODIHR NAM did not recommend an election-related activity for the 19 September 2010 general elections as such an activity would not add significant value to the electoral process. The full NAM report can be found at www.osce.org/odihr/elections/70947

¹ OSCE Office for Democratic Institutions and Human Rights, *Compendium of OSCE Human Dimension Commitments: Volume 1, Thematic Compilation (third edition)*, <http://www.osce.org/odihr/elections/76894> and *Compendium of OSCE Human Dimension Commitments: Volume 2, Chronological Compilation (third edition)*, 2011, <http://www.osce.org/odihr/76895>; OSCE Summit Meeting, Astana 2010, *Astana Commemorative Declaration: Toward a Security Community*, 3 December 2010, <http://www.osce.org/cio/74985?download=true>

Legislation reviewed by the OSCE/ODIHR on human dimension issues (other than elections)

N/A

Tolerance and non-discrimination issues, including incidents of and responses to hate crime

OSCE participating States have made a number of commitments to promote tolerance and non-discrimination and specifically to combat hate crime, and the OSCE/ODIHR supports states in their implementation of those commitments. In this context, the OSCE/ODIHR produces an annual report on hate crime – *Incidents and Responses* – to highlight the prevalence of hate crimes and good practices that participating States and civil society have adopted to tackle them. It also helps participating States to design and draft legislation that effectively addresses hate crimes; provides training that builds the capacity of participating States' criminal justice systems and the law-enforcement officials, prosecutors and judges that staff them; raises awareness of hate crimes among governmental officials, civil society and international organizations; and supports the efforts of civil society to monitor and report hate crimes.

The report relies mainly on information and statistics provided by governments, since such data collection is primarily the responsibility of states, as is the responsibility to respond to hate crimes. As of 2012, 55 of the 57 OSCE participating States had appointed National Points of Contact on Combating Hate Crimes, to support ODIHR in its task of serving "as a collection point for information and statistics collected by participating States". The bulk of information for the report was gathered through the completion of an online questionnaire by National Points of Contact. The questionnaire for 2012 contained questions about the following areas: data-collection methods; legislation; reported hate crime data; and policies and initiatives.

Information concerning Sweden in the most recent edition of the annual hate crimes report² covering 2012 includes the following:

Sweden's criminal law contains a general penalty-enhancement provision. Sweden includes defamation, hate speech and discrimination crimes in its data, alongside the reported cases of hate crimes.

Hate crime data are collected by the National Council for Crime Prevention (Brå) and are based on information from the police and the prosecution authority. Since 2012, the number of hate crime cases is estimated based on a statistical sample of police reports. Hate crime reports are published annually. Victimization surveys, used to measure unreported crime, are also conducted annually.

In 2012³, Sweden reported 5,518 hate crimes recorded³ by police (this figure, however, includes cases of criminal discrimination and hate speech offences) and 344 cases prosecuted. These include:

- 2678 racist and xenophobic crimes;
- 111 hate crimes against Roma and Sinti;
- 132 anti-Semitic hate crimes;

² <http://tandis.odihr.pl/hcr2012/>

³ see Sweden's data reported to ODIHR at <http://hatecrime.osce.org/sweden>

- 192 hate crimes motivated by bias against Muslims;
- 240 anti-religious hate crimes, and
- 537 crimes motivated by bias on the basis of sexual orientation and additional 41 hate crimes targeting trans-gender persons.

Sweden also provides a breakdown of these hate crimes by type of crime.

Number of initiatives and government-sponsored programmes on hate crimes run in Sweden.

Sweden has not reported to ODIHR the number of hate crime cases where perpetrators were sentenced.

In 2012, Personal Representative of the Chair-in-Office on Combating anti-Semitism visited Sweden. During this visit, he met with the government representatives and civil society organizations.

Roma and Sinti issues

The OSCE/ODIHR has a specific mandate to assist participating States in implementing the OSCE Action Plan for Improving the Situation of Roma and Sinti Within the OSCE Area.⁴ The most recent Status Report on the implementation of the Action Plan was issued by ODIHR in 2013.⁵ The report included the following information about the situation of Roma and Sinti in Sweden. Sweden recognizes that discrimination against Roma in the housing market exists and is confirmed by the cases reported to national human rights institutions, including Ombuds offices.

Country-specific ODIHR monitoring and assessment activities (other than elections)

N/A

Other assessments and recommendations contained in ODIHR reports on thematic human dimension issues

N/A

⁴ <http://www.osce.org/odihr/17554>.

⁵ <http://www.osce.org/odihr/107406>.