



Youth With A Mission Report on Religious Freedom in Sweden

General Statement

(1) Freedom of Belief and Conscience has long thrived as a right in European societies but the public manifestation of the Christian Faith has been undermined due to a growing Secularism that misunderstands the true meaning of faith. Even though Sweden is known to be pluralistic society, able to embrace all races and creeds, it is going through the same process because of unforeseen consequences of “Anti-Discriminatory” laws. Freedom of Belief or Religion is an essential freedom that is foundational in democratic societies. Youth With A Mission considers to uphold this value.

(2) In the Fifteenth session of the Human Rights Council Agenda item 6 Universal Periodic Review, Sweden has accepted Cuba’s Recommendation in Paragraph 96.24.¹ It is apparent that Sweden’s attempts at combatting incitement to racial hatred and xenophobia have been effective, in a way. In this report, our aim is to bring to light some situations that would aid in finetuning their current laws against discrimination.

Political Transitions in Sweden

(3) Following the elections in September 2018, there were difficulties forming a new government. Finally, in January, the former government, consisting of Social Democrats and The Environmental Party (Green Party), came to an agreement with the Liberal Party and the Centre Party. This made it possible for the Social Democrats and the Green Party to form a minority government, with a backing from the other two parties. Despite the previous alliance, the government still needed another party (often the Left Party) to get their propositions through the Parliament. These political coalitions were built on several concessions to the Left in favour of Secularistic laws.

¹ 96.24 - Criminalize and effectively combat incitement to racial hatred, xenophobia and religious intolerance; including by prohibiting racist and xenophobic organizations and prosecuting perpetrators (Cuba);

Confessional Free Schools

- (4) One of the items in the so called “January Agreement” was a total stop for new confessional schools. This is something which in recent years has been pursued by the Liberal Party and the Social Democrats, while the Green Party and the Centre Party usually have defended the right for confessional schools. One of the commonly presented arguments for a ban on confessional schools is that they negatively contribute to segregation.
- (5) “Confessional” is not clearly defined in Swedish law or policy, but there is a consensus around the common understanding of it. Generally speaking, “confessional” has to do with expressing a certain confession that can be made up of certain values and beliefs. The basic principle of the school system in Sweden is that it should “be free from confessional elements” and that any confessional element should be voluntary for students.²
- (6) Since the big reform of the Swedish school system in the 1990’s, non-governmental organizations are able to start and run schools in Sweden. Today there are 1253 free schools (elementary and high school levels) with approximately 248,500 students. Around 6% of these students are attending a confessional school.³
- (7) Universal Declaration of Human Rights, article 26, states: ”Parents have a prior right to choose the kind of education that shall be given to their children. ”⁴ Christian parents more often choose to enroll their children in confessional schools because of their beliefs, which they are entitled to.
- (8) The accusation that confessional schools cause segregation has been proven wrong by research, “Confessional schools – problem in society or a human right?”⁵. The truth is rather the opposite: confessional schools contribute positively to integration.
- (9) Early in June 2019 the government declared that they are giving additional directives to a commissioner who is already examining “confessional elements in the educational system”. These additional directives are:
 - To give such legislative proposals that are necessary to implement a stop to establishments of independent schools with a confessional profile, and

2 Den nya skollagen – för kunskap, valfrihet och trygghet, regeringens proposition 2009/10:165

3 Fakta om friskolor, oktober 2018, Friskolornas riksförbund

4 Universal Declaration of Human Rights

5 Konfessionella skolor – Samhällsproblem eller mänsklig rättighet, Timbro 2018

- To analyze and report what eventual consequences these legislative changes might have, among other things with regard to the Swedish constitution, the EU regulatory framework and Sweden's international obligations, and for the existing independent schools with a confessional profile

The report is due to the government before 19 December 2019.⁶

- (10) Considering that all schools in Sweden have to abide by the national curriculum and all other regulations, independent schools adhere to all requirements with the allowance of having “confessional elements,” which are voluntary and outside of teaching.
- (11) We recommend that the Swedish government should focus on making sure that schools live up to curriculum, rules, and regulations, not whether the school has a certain confession and voluntary activities for students. We strongly suggest that incidents need to be tackled individually, as they happen, rather than through legislation.

Freedom of Conscience of Medical Practitioners

- (12) Abortion became regulated in law in Sweden in 1975⁷. The preparatory work of the Abortion Act⁸ stipulates that freedom of conscience shall be granted to healthcare professionals who cannot participate in abortion for moral or religious reasons. Since the law came to be, there has been a commonly working practice in order to secure freedom of conscience for midwives. That has mainly been done through scheduling and similar means.
- (13) In 2006, the “Description of Competence for Midwives”⁹ by the National Board of Health and Welfare (Socialstyrelsen) changed normative practices in the nation. The State no longer protects the midwives' Freedom of Conscience, in spite of the large availability of midwives willing to perform the procedure. Two cases of midwives being denied their right to work for their moral convictions follow.
- (14) Ellinor Grimmark was denied work as a midwife at several hospitals in Region Jönköping because she, due to her conscience and her religious convictions, would not perform abortions. She received employment at a women's clinic where she would be

6 Tilläggsdirektiv till Utredningen om konfessionella inslag i skolväsendet. Dir. 2019:25

7 Abortlagen 1975:595

8 Prop.1974:70 s 76 ff

9 Kompetensbeskrivning för legitimerad barnmorska, 2006-105-1

granted freedom of conscience, but this job was withdrawn before she assumed the position because of her beliefs. In 2014, Ellinor Grimmark filed a lawsuit against Region Jönköping and claimed damages for violation of the European Convention on Human Rights and compensation for discrimination.¹⁰

(15) Linda Steen worked as a nurse at a healthcare center in Sörmland County and was granted a midwife contract/contract employment at Nyköping Women's Clinic which states that she would receive salary during her studies and holidays. When Ms. Steen refused to perform late term abortions as a midwife, her employers did not only accuse her of a breach of contract and dismissed her from the position, but they also barred her from future employment in another hospital, which had previously accepted her.

(16) Linda Steen has filed a lawsuit against Sörmland county counsel for violation of her freedom of conscience and her freedom of religion under the European Convention on Human Rights and has claimed damages for those violations.¹¹

(17) The above cases indicate problems with the proportionality of conscientious objectors and hospital adjustments. We advise to re-visit the previous legislation, which accommodates the rights of all parties.

Muslim Converts to Christianity

(18) In the latest national report that the Universal Periodic Review produced for Sweden¹², section E. Points 69-76 deals with the rights of asylum seekers and undocumented migrants.

(19) Although Point 69 forbids the expulsion of those at risk of persecution, torture and other forms of danger and Points 70-72 deals with legal security in the handling of asylum cases, the implementation of those is not up to its standards. It is problematic the way the Migration Office is handling cases of Muslim converts to Christianity, particularly those of Afghan origin.

(20) The Migration office tries to determine whom of all the claimed converts actually are genuine converts, and few pass the test. The way in which this is done is arbitrary and not legally secure. Requests to employ special competence to determine the genuineness of converts, as already is done in cases of sexual orientation and gender identity per point 71, have been denied.

10 <https://humanrightslawyers.eu/human-rights/our-cases/the-case-of-ellinor-grimmark/>

11 <https://humanrightslawyers.eu/human-rights/our-cases/the-case-of-linda-steen/>

12 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/219/73/PDF/G1421973.pdf?OpenElement>

- (21) In response to this situation, five Swedish church denominations collectively produce a study, presented March 20, 2019, going through 619 cases. The study has been named Konvertitutredningen.¹³
- (22) The material found in this report has been collected from 76 Free Churches in 64 locations throughout Sweden. The material is based on documents concerning the asylum processes of 619 people. All of whom are Afghan citizens who applied for asylum in Sweden between 2015 and 2018. All 619 were baptized members of the aforementioned churches and are therefore considered converts in this report. The report's conclusions are:
- (23) • The Swedish Migration Board has a weak understanding of religion and conversion which lacks scientific grounding.
- (24) • The Swedish Migration Board's decisions show unreasonable differences between comparable entities, leading to arbitrary decisions.
- (25) • The Swedish Migration Board's practice is not based on reliable methodology, leading to inconsistent motivations for decisions.
- (26) • The Swedish Migration Board does not comply sufficiently with international law and human rights conventions, leading to a lack of legal security.
- (27) The heart of the problems in the handling of these cases seems to be religious illiteracy among Swedish bureaucrats. For a long time, the mindset has been that faith is something private and that therefore there is no reason to get any understanding of religious conversion and what a Christian faith means to the individual Christian: how it affects them, and how the faith is expressed and manifested.
- (28) Now that Sweden understands that religion can be an endangering factor for refugees, the authorities feel the need to determine if one's faith is genuine in order to provide asylum. Unfortunately, due its religious illiteracy, the criteria used to access refugees is inappropriate.
- (29) Sometimes, converts are given the advice to keep silent about their faith. Such comments show a lack of understanding of religious expression. For many religions, it is a natural part of their faith to express it publicly. Expressions of Christian faith

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Kovertitutredningen – Rapport om Migrationsverkets hantering av konvertiters asylprocess, Pingst m fl 2019.

The English Summary is called "Inquiry into the Asylum Processes of Religious Converts in Sweden" The initiating denomination (Pingst) published the report at their official website:

<https://www.pingst.se/integration/konvertitutredningen/>

include prayer, church service, sing worship, read the Bible and most of these expressions involve gathering with other believers. Also, when a person becomes a Christian, an inner change takes place, sometimes so drastic that it is visible from the outside. That is also a manifestation of one's faith and many times makes people ask what it is about that person. In light of that, words like “keep silent about your faith” become strange. For most Christians, faith cannot be lived only internally.

(30) On the basis of a full review of the analyzed material, they have come with these recommendations that we also endorse:

(31) • Further investigation of the unreasonable and legally insecure conditions that this report has revealed must be carried out.

(32) • The Swedish Migration Board must ensure the due competence of all employees who make decisions in asylum cases in which conversion is relevant. It must ensure that no negative decisions are made without first being reviewed by a trained specialist.

(33) • The Swedish Migration Board’s legal department should appoint a group of experts in the field of religion and conversion as a resource in all cases where conversion is a relevant factor.

(34) • The converts’ cited written evidence must be valued more highly in the asylum procedure.

(35) Until these changes are carried out, deportation of converts and asylum-seekers in whose cases conversion is a relevant factor must not be carried out.

(36) • When new guidelines have been adopted, all asylum seekers in whose cases conversion is a relevant factor must be given the right to a new process.

About Youth with a Mission

(18) Youth with a Mission is an international, religious Non-Governmental Organisation with Special Consultative Status with the United Nations Economic and Social Council since 2003. Because of the global reach of our organisation, our team from Linköping, Sweden are stakeholders for the Universal Periodic Review of Sweden.