



**SWEDISH
FOUNDATION
FOR
HUMAN RIGHTS**

Joint CSO Submission for Sweden's fourth Universal Periodic Review in 2025

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COMPILED BY The Swedish Foundation for Human Rights

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Introduction

This joint submission was compiled by the Swedish Foundation for Human Rights along with 14 CSOs working in the field of human rights. The views expressed in this report are based on the expertise of the contributing organisations, each contributing with points. The submission is not exhaustive but highlights examples from the participating organisations. It identifies key human rights concerns where the Government is failing to meet its international human rights obligations.

In recent years, Swedish authorities have shown a declining commitment to upholding human rights, reflected in the implementation of policies and laws that increasingly undermine human rights. The long awaited Swedish National Human rights Institute (NHRI) was established in 2022; however, it is not constitutionally protected and budget allocation is short term. Conflicts, distrust, and polarisation have significantly increased, a trend manifested through legislation and investigations concerning areas i.a. related to migration and human rights. Restrictive policies, weak governance, and a lack of targeted reforms harm marginalised groups, including persons with disabilities, indigenous people, national minorities, asylum-seekers, undocumented migrants, and children, undermining human rights and social equity.

The erosion of human rights is evident within the context of rising gang-related violence. Politicians across the political spectrum have proposed measures to address it, some of which violate human rights. Restrictive measures have intensified since the 2022 election. The so-called “Tidö Agreement,”¹ which shapes recent government policies, has raised concerns among treaty bodies and criticism from civil society for its lack of a human rights-based approachⁱ, warning that this trend is undermining democracy and the rule of law. Proposed policies, such as establishing child prisons, evicting families of criminals, requiring civil servants to report undocumented individuals, lowering the age of criminal responsibility, and imposing stricter conditions on welfare and family reunification, risk infringing on rights.ⁱⁱ

There is a shift in social support and welfare policy reflecting a move from ensuring broad access to welfare and social rights for all, to a system where these rights are increasingly reserved for those who have secured employment and self-sufficiency, effectively making welfare a privilege rather than a right.

Civil society space is shrinking. Increased threats and reduced influence are affecting organisations, undermining sustainability and leading to self-censorship. Since 2019, the proportion of youth organisations reporting reduced influence has increased by 28 percent, doubling the number of groups experiencing diminished capacity to impact societal development. Contributing factors include reduced funding, increased hate and threats, greater administrative demands, bureaucratic obstacles, and a shift from being idea carriers to service providers.ⁱⁱⁱ Government actions, including changes in development cooperation strategies and efficiency measures, are further challenging the diversity and vitality of CSOs, weakening checks and balances essential for a functioning democracy.

¹ The “Tidö agreement” is an agreement between the Government and its supporting party, the Swedish Democrats.

1. National mechanisms for human rights

The legal framework for protecting human rights is ineffective and various UN committees have expressed concern over Sweden's failure to fully incorporate ratified human rights treaties into national legislation,^{iv} thereby preventing the rights from being enforceable as Swedish law.

Sweden's dualistic legal system requires international law to be translated into national law before it can be applied in domestic courts. Only the ECHR and the CRC have been incorporated. A government-commissioned report investigating Sweden's systematic human rights practices revealed that agencies and courts often presume that a standard interpretation of national law is in harmony with international commitments.^v Thus, there is no independent assessment to ensure that legal interpretations align with international obligations, and the judiciary and public authorities rarely apply human rights treaties in their decision-making. The ignorance among authorities and courts regarding human rights instruments and their duty to interpret legislation accordingly, risk resulting in individuals not enjoying their human rights fully.

Individuals facing human rights violations have limited access to legal remedies, including financial restraints to securing legal representation, hindering the rectification of human rights violations. Sweden has not ratified the CESCR-OP, nor the CRC-OP-IC. This impedes the effectiveness of human rights.^{vi}

In 2022, the National Human Rights Institute (NHRI) was established by law^{vii} as a governmental agency, following the Parliament's rejection to assume it as a parliamentary agency^{viii}. The underlying inquiry suggested that the Government investigate constitutional protection for the NHRI.^{ix}

The Government's follow-up of recommendations from international monitoring bodies is ad hoc and needs to be strengthened by way of increased cooperation between and among duty bearers, civil society and independent actors, such as the NHRI.

Recommendations:

- Incorporate ratified treaties into national law and conduct a comprehensive gap analysis to ensure alignment with these standards
- Ratify CESCR-OP and CRC-OP-IC
- Ensure that all legislation is preceded by a human rights analysis to identify potential impacts and compliance issues, fostering a legal framework that upholds human rights principles
- Strengthen the constitutional protection of the NHRI to safeguard its independence and ensure sustainable funding to carry out its mandate effectively
- Establish a national mechanism for follow-up and reporting that aligns with OCHCR guidelines^x

2. Right to Work, Housing and Education

Right to Work

Despite recommendations from the UPR 2020,^{xi} there are no specific targets to increase public employment for persons with disabilities (PWD).^{xii} Unemployment disproportionately affects PWD; about 44 percent of individuals with a “reduced ability to work” report being employed, compared to about 81 percent of the general population. Among PWD, employment rates are higher for men (51 percent) than for women (39 percent).^{xiii} Additionally, one in three PWD experiences workplace discrimination, although changes in data collection make long-term comparisons difficult.^{xiv} Since 1980, when wage subsidies for employers were introduced and Samhall^{xv} was founded, no significant reforms have been implemented. In 2021, organisations representing PWD proposed 73 measures to the Government for necessary labour market reforms, 22 related to CRPD art. 27.^{xvi} The situation for refugees with disabilities has worsened following new government decisions in 2023, and a program to offer public internships for newly arrived and PWD failed due to weak governance.^{xvii} Unemployment is significantly higher among transgender people than among the general population. Several Nordic surveys indicate that unemployment is approximately twice as high in this group as in the rest of the population.^{xviii}

Right to Housing

Homelessness among children is concerning. Approximately 9,400 children have a homeless parent, around 5,900 live with a homeless parent, and about 1,000 children live with their parents in acute shelters and hostels.^{xix} In 2023, there was a 17 percent increase in children affected by eviction compared to 2022, totalling 674 children.^{xx} As of July 1, 2024, landlords can evict individuals who have committed criminal offenses in the vicinity of the building, regardless of whether the offender was a child at the time, putting entire families at risk of eviction.^{xxi}

Right to Education

Not all children receive the primary and secondary education they are legally entitled to.^{xxii} The situation is especially severe for the national minority Roma due to past and present exclusion mechanisms.^{xxiii} Consequently, the educational opportunities for Roma children depend on inconsistent public agency commitments to address underlying barriers, such as discrimination, harassment, lack of access to education in Roma, and prejudiced practices affecting relationships between schools, social services, and families. Mutual distrust and misunderstandings hinder children's opportunities in school and prevent access to educational support measures.^{xxiv}

Fewer students with disabilities receive reasonable accommodation or special support in education.^{xxv} Recent changes in the Education Act, particularly regarding resource schools and the introduction of emergency schools for students considered disruptive,^{xxvi} contribute to the issue. More students are now being placed in Compulsory School for Pupils with Intellectual Disabilities.^{xxvii}

Recommendations:

- Conduct a review of existing national legislation to address systematic, intersectional, and structural barriers experienced by PWD, national minorities, and migrants, and implement targeted measures to close gaps in the open labour market
- Revise existing legislation and implement measures to prevent evictions, ensuring that the best interest of the child is decisive in all cases involving children, including when criminal activities by a household member are involved
- Develop and implement a comprehensive national strategy for inclusive education, ensuring the right to education through support tailored to individual needs
- Establish a mechanism to monitor and enforce the implementation of national legislation on inclusive education
- Guarantee Roma children equal access to primary and secondary school by applying targeted measures to implement the national strategy for Roma inclusion

3. Right to health

Access to medical care remains limited for certain groups. The right to health for non-permanent residents and undocumented migrants is particularly at risk. Although Act (2013:407)^{xxxviii} grants undocumented migrants access to subsidized “healthcare that cannot be deferred,” vague language and inconsistent regional application limit practical access. Destitute EU migrants and third-country citizens with EU residency often face denial of care or exorbitant charges, deterring them from seeking medical help.^{xxix} Reforms planned by the Government, such as requiring public servants to report undocumented migrants and cutting funding for interpretation services in healthcare,^{xxx} may worsen the situation. In March 2024, the Blekinge region introduced fees for translation in healthcare.^{xxxi}

Racism is prevalent in the healthcare sector, affecting both non-white patients and staff, severely hindering the provision of good and equal care.^{xxxii} Non-white women experience racism within maternity care; testimonies suggest that medical personnel believe they exaggerate symptoms, such as “cultural fainting”^{xxxiii} or tolerate more pain than white people.^{xxxiv}

Waitlists for gender-confirming healthcare are long, 3-5 years for an initial gender dysphoria evaluation, affecting the mental health of trans individuals, especially youth.^{xxxv} Most hospitals have stopped prescribing hormonal treatments to children with gender dysphoria regardless of their individual needs.^{xxxvi} LGBTQI youth overall experience poorer health than their peers, especially mental health, highlighting the urgent need for increased resources and enhanced competence among professionals and volunteers working with them.^{xxxvii}

Knowledge about and access to SRHR services is limited, particularly among men and certain ethnic groups.^{xxxviii}

Recommendations:

- Ensure that immigration policies do not hinder migrants’ equal access to essential services, including health care and education^{xxxix}
- Clearly define “healthcare that cannot be deferred” and ensure full access for asylum-seekers and undocumented migrants to necessary and subsidised healthcare services^{xl}
- Guarantee publicly funded interpretation and translation services for non-residents and undocumented individuals, ensuring access in all healthcare settings^{xli}
- Map and remedy racism in healthcare, affecting both patients and staff
- Ensure available and accessible gender-affirming care and hormone treatment to all individuals in need of it
- Guarantee access to sexual and reproductive health services, particularly for LGBTQI persons and children and youth with migrant backgrounds

4. Racism

In recent years, derogatory statements targeting ethnic and religious minorities have increased among politicians in the Parliament and the Government, especially against Muslims.^{xlii} The Government's failure to distance itself from this rhetoric is alarming. The normalisation of harmful rhetoric by persons in leading positions is concerning, as it can fuel negative sentiments within the public and lead to increased discrimination and hate crimes. Save the Children Sweden has encountered many children who report growing racism in their daily lives, with several linking it to the rhetoric of politicians.^{xliii}

This troubling trend is also reflected in legislation related to i.a. migration and human rights. While the Government has introduced welcome measures to counter honour-related violence, including new criminal legislation and updates to the national curriculum to include school responsibility in addressing honour-related oppression,^{xliv} some initiatives risk stigmatising entire ethnic minority communities, such as introducing "family planning schemes" in socially excluded areas.^{xlv} Government discourse framed as combatting "non-Swedish" practices,^{xlvi} undermines the principles of non-discrimination and equality before the law. Despite research showing that social exclusion reinforces honour-related norms,^{xlvii} the Government has prioritised criminal law interventions over community-based programs that have been successful internationally, neglecting the deeper systemic issues that perpetuate honour-related violence.

Treaty bodies and the UPR have repeatedly urged Sweden to take stronger actions against systemic racism.^{xlviii} Despite calls from civil society, Sweden has yet to acknowledge systematic racism and implement measures to safeguard the rights of marginalised groups. This is problematic in relation to recently adopted legislation that enables the Police Authority (SPA) to establish stop and search zones, in which people may be stopped and searched without reasonable suspicion. A report by the National Council for Crime Prevention (October 2023) concluded that it is not beyond doubt that the police engage in discriminatory ethnic profiling.^{xlix}

Recommendations:

- Ensure that all efforts to prevent, counter, and combat honour-related violence and oppression are evidence-, rights-, and community-based
- Urgently review and redefine social and migration policies to eliminate influences from racist perceptions
- Give the SPA a mandate and necessary funding to prevent discriminatory ethnic and racial profiling by developing guidelines and training staff on how to conduct non-discriminatory stop and searches
- Allocate financial support to organisations that experience and/or combat racial discrimination, enabling them to continue advocacy and support services

5. Hate crime and hate speech

In the 2020 UPR, Sweden received over 40 recommendations concerning hate crime and/or hate speech, many emphasising the need to strengthen current legislation and employ all measures necessary to combat these crimes.ⁱ However, out of the 3,398 hate crimes registered in 2020 and investigated up until May 2023, only six percent were convicted.ⁱⁱ

The UNSR on Freedom of Religion and Belief has highlighted concerns about growing religious intolerance.ⁱⁱⁱ Official data support these concerns, revealing an increase in antisemitic and islamophobic hate crimes.ⁱⁱⁱⁱ In 2022-2024, there was a notable rise in public Quran burnings. Authorities have narrowly interpreted hate speech legislation, resulting in few prosecutions and the closure of investigations. Only one police report regarding Quran burnings in the spring of 2022 remains open, while others were closed, citing no crime committed.^{liv}

Instead of enforcing hate speech legislation, the Government has presented proposals for new legislation on the freedom of assembly which will have repercussions on the freedom of speech and expression. If approved, the proposal would open possibilities to limit or refuse public meetings and demonstrations referring to the security of the nation.

A 2024 report by the Swedish National Council for Crime Prevention reveals that hate crimes against the Sámi often occur when they assert their rights, with underreporting possibly higher than for other hate crimes. These crimes occur in both public and digital spaces, ranging from offensive remarks to severe racist attacks, threats, including death threats, and violence. There is an urgent need to combat stereotypes and prejudices against the Sámi to counteract hate crime. The report warns that police efforts may be deprioritised without a new mandate for enhanced action against hate crime.^{lv}

Persons with disabilities are not protected in hate crime and hate speech legislation. Statistics and review of legislation related to these exclude a disability rights analysis.^{lvi}

Recommendations:

- Amend Article 8, Chapter 16 of the Criminal Code to specify that the context of speech must be considered in determining hate speech
- Allocate necessary resources to the hate crime units within the police
- Introduce mandatory, continuous training on hate crime legislation for law enforcement officials
- Implement ICERD 4B into Swedish law to combat religious intolerance and prevent hate crime against Muslims, Jews, and other religious minorities in all public spheres
- Ensure that freedom of religion and belief is addressed as a specific ground for discrimination in governmental analyses and policy implementations
- The power to define what exactly constitutes a threat to the nation's security should be reserved for agencies that specialize in foreign relations and security issues
- Instruct the SPA to prioritize hate crimes against the Sámi and ear-mark police resources for the investigation of such crimes
- Amend national legislation on hate crimes and hate speech to include provisions that protect PWD and ensure data collection and analysis on these incidents^{lvii}

6. Rights of persons with disabilities

The CRPD recommendations (2014)^{lxviii} have still not been acted upon by the Government. Legislative alignments with the convention have been driven by the EU, not initiated by the national government.^{lix} The implementation of disability rights is hindered by a misconception that Sweden does not need to apply the CRPD in legislation, budgeting, and policies.^{lx} CRPD recommendations (2024)^{lxi} emphasise the need for legislative reforms, action plans, national strategies, and the active involvement of organisations representing PWDs in these reforms.

Sweden has yet to transition from a medical to a human rights-based approach to disability, as highlighted by the CRPD committee in 2024.^{lxii} Several rights are regressing, e.g. the GDP allocation for disability and sickness benefits dropping from about seven percent in 1990 to two percent in 2022.^{lxiii} This decline is evidenced by cutbacks, stricter eligibility assessments, exclusion from education, employment gaps, increased poverty risk, lack of self-determination, and difficulty accessing justice.^{lxiv} Finally, there is no national plan to systematically remove accessibility barriers, a lack of funding and significant regional disparities in most policy areas.^{lxv}

The purpose of the Swedish Act on Support and Service for Certain Disabled People (LSS) is to ensure that persons with significant and long-term functional disabilities are given necessary support and the opportunity to live like persons without disability. However, the right to support has gradually been eroded since the law was introduced in 1994, in clear violation of the prohibition on retrogression of rights.^{lxvi} Interventions, such as contact persons and accompanying person service to break social isolation, have been reduced and the number of interventions per person has decreased.^{lxvii} This has led to reduced participation in community life in a way chosen by the person.^{lxviii}

More than half of the municipalities have a shortage of LSS housing, hence many people are denied LSS housing and cannot move away from their parents.^{lxix}

Recommendations:

- Incorporate CRPD into Swedish law with effective access to remedies to enforce its rights^{lxx}
- Develop comprehensive action plans to systematically implement the CRPD across all relevant rights areas, aligning with CRPD recommendations^{lxxi}
- Establish procedures to ensure that all new legislation is systematically aligned with CRPD
- Create a legal basis and provide sustainable funding for organisations of PWD to enable meaningful and effective involvement in decision-making and monitoring of CRPD implementation^{lxxii}
- Establish an independent complaint mechanism for disability rights and revise the legal aid system to ensure the enforcement of these rights and access to justice

7. Rights of indigenous peoples

The Sámi are recognised as an indigenous people,^{lxxiii} through their ability to exercise their rights is limited. Sweden has faced recurring and recent criticism from the UN^{lxxiv} and the Council of Europe,^{lxxv} which conclude, i.a., that the Sámi have insufficient influence and consideration in decisions made by authorities regarding exploitation in traditional Sámi territories. Sweden has yet to ratify ILO Convention No. 169.

In March 2022, a consultation act came into effect^{lxxvi} It is a welcome step, but not enough to ensure free, prior, and informed consent (FPIC). The CESCR 2024 recommendations emphasise the need for more robust and inclusive approaches that respect and incorporate indigenous perspectives, indicating that current practices fall short of international standards.^{lxxvii}

The Sámi have historically faced state-sanctioned discrimination, including state control over who is recognised as Sámi and their associated rights, which still affects them.^{lxxviii} The legal distinction between reindeer herding and non-reindeer herding Sámi has not been adequately addressed by the Government, causing internal conflicts and hindering the Sámi rights movement. Non-reindeer herding Sámi communities have no recognised land rights, leading to the exclusion of their land use and cultural practices from consideration in decision-making processes. Sámi reindeer herding communities have limited land rights,^{lxxix} but face immense psychosocial and economic pressure from defending their rights in courts due to, i.a., increased exploitation projects and an unimplemented governmental predator policy^{lxxx}.

In 2021, a Truth Commission for the Sámi People was established^{lxxxi} to survey and review the historical policies towards the Sámi and their consequences. Its mission is to spread this knowledge for future generations and propose measures for reparation and reconciliation. It is crucial that the Commission receives necessary resources to fulfil its mission and that its forthcoming recommendations are implemented in close cooperation and consultation with the Sámi.

Despite the recommendations CERD/C/SWE/22–23, Sweden has yet to take any tangible steps to address the issues raised. The root cause of inaction can be attributed to structural racism towards the Sámi people, a result of the country's systematic failure to recognise their particular needs and situation as an indigenous people.^{lxxxii}

Recommendations:

- Implement legislative measures to recognize Sámi rights to traditional lands and resources
- Resolve the legal discriminatory division between Sámi groups^{lxxxiii} in cooperation with the Sámi people.
- Guarantee, both in law and in practice, FPIC of the Sámi in all decisions affecting them
- Provide Sámi actors with legal aid in administrative and legal proceedings^{lxxxiv}
- Provide the Truth Commission with necessary capacity and resources and implement its recommendations in close consultation with the Sámi
- Encourage the UN process to establish a specific category of Indigenous Peoples to facilitate their participation at the UN^{lxxxv}

- Address structural discrimination against the Sámi people to uphold the rights and protect their well-being
- Ratify ILO 169

8. Rights of national minorities^{lxxxvi}

The Tornedalian, Kven and Lantalaïset

Despite being recognised as a national minority, the Tornedalian, Kven and Lantalaïset (TKL) people face structural discrimination and enduring injustices in the form of belittling of their language, culture and identity, whilst being subjected to exclusion from decision-making and invisibility in general, especially regarding cultural practices related to land usage and rights.

These enduring injustices stem from the damage caused by the Swedish state's racist and discriminatory ideologies and policies. The damage has severely impacted the preservation of their language, culture, and traditional livelihoods, leaving younger generations with lack of access to their cultural heritage and language. The Council of Europe and UNSR TJ have criticized Sweden for not complying with the obligations under national and international law that would ensure the minority their entitled rights.^{lxxxvii}

The TKL people is not yet recognized as an indigenous people, despite meeting the criteria for the status. The absence of recognition hinders the TKL people's ability to assert their right to self-determination, leaving them with little to no influence over decisions directly affecting their daily lives and cultural heritage. As they are excluded from legislation, both reindeer herding and non-reindeer herding communities lack any recognised land rights, leading to increased polarization between peoples and different interests regarding land use and to neglect of the minority's land use and cultural practices in decision-making processes.

The TKL people has an oral tradition, thus the minority's history, knowledge and culture are scarcely documented. Furthermore, there is a significant absence of knowledge dissemination and research about the minority, perpetuating social ignorance and stereotypes that reinforce the systematic discrimination through racism, invisibility and exclusion. Specifically, it has led to a lack of research on e.g. land rights, gender, health, racism and hate crimes. Advocating for their rights often result in heightened threats, discouraging participation. Accordingly, there is an urgent need for comprehensive education at all levels of society on the matter and on the human rights of minorities and indigenous peoples.^{lxxxviii}

Apart from the disadvantage of continuously being excluded and invisible, the TKL people rely on volunteers to advocate for their rights due to severe lack of funds, resulting in increased stress on the minority and their possibility to advocate for their rights.

In 2020, a Truth and Reconciliation Commission for the TKL people was established to investigate and review the 1800s and 1900s assimilation policy in relation to the injustices against the minority and its consequences today. The Commission concludes that the Swedish state and the Church of Sweden have a moral and political responsibility to make amends for the damages caused to the minority. While the Commission recommended measures to strengthen their influence and autonomy, and ensure the rights to their culture and language and called for apologies from the Swedish State and the Church of Sweden, it did not address individual responsibility or compensation.^{lxxx} Civil society has criticised the Government's response as inadequate, with concerns that the report has received little publicity and implementation.

The Roma

Despite supported recommendations from the UPR 2020^{lxxxii} on ensuring the effective implementation of the Government's long-term coordinated strategy for Roma inclusion (2012-2032)^{lxxxiii}, measures remain insufficient. At the outset, the strategy emphasised that efforts should be integrated into regular activities and structures rather than being project-based, focusing on developing methods and practices for Roma inclusion. As the strategy now enters its later stages, it has lost momentum and impact. The lack of a consistent, long-term approach, both locally and nationally, has led to a fragmented and project-based implementation which undermines its effectiveness in reaching the targeted audience and generating the expected results. The situation is particularly worrying as it erodes mutual trust and confidence in the Government's commitment and resolve. Without concrete, well-funded, and enforceable provisions, the Roma inclusion strategy risks falling short of its goals.

Recommendations:

- Implement all recommendations by the Truth and Reconciliation Commission for TKL in close consultation with the minority, including investigating the minority's status as an indigenous people^{lxxxiii} and the consequences of a ratification of ILO 169.
- Implement effective measures to ensure protection and revitalisation of the TKL cultural heritage in connection to traditional lands, territories and resources and their language Meänkieli
- Establish a dedicated mechanism for direct engagement with TKL representatives, ensuring their active participation in all policy and legislation affecting them and upholding their right to self-determination
- Implement measures in consultation and cooperation with the Sámi and the TKL peoples to resolve legal and discriminatory division between and within the peoples
- Allocate adequate resources and apply a long-term approach with targeted measures to achieve the goals of the national strategy for Roma inclusion^{lxxxiv}

9. Rights of the child and elderly people

Although most children in Sweden lead a good life, those in the most vulnerable situations face many challenges from a rights perspective. Accordingly, Sweden received numerous recommendations from the CRC Committee in 2023.^{lxxxix}

Children in schools face harassment and discrimination based on skin colour, religion, and ethnic or cultural background. Reports from students indicate that adults, including teachers, often dismiss the children's concerns. One in four children of immigrant background has experienced racial abuse or attacks due to their skin colour, origin, or religion. One in five children with a religious affiliation report being prevented by their school from expressing their faith.^{xc}

The strategic and systematic work for children's rights remains insufficient.^{xcⁱ} Despite incorporating the CRC into national legislation in 2020, the national strategy for children's rights, adopted in 2010, has not been updated.^{xcⁱⁱ} The Ombudsman for Children cannot receive individual complaints from children and is facing increased governmental control.^{xcⁱⁱⁱ} Sweden has yet to adopt a national strategy to end violence against children, which is a requirement for being a pathfinding country in the Global Partnership to End Violence Against Children, a status Sweden has held since 2016. A proposal for this strategy was submitted to the Government in January 2023.^{xc^{iv}}

Children in care are not granted their rights to education and health^{xc^v} and several reports indicate that they are often subject to violence.^{xc^{vi}}

Several groups face daily discrimination, especially children with disabilities, LGBTQI children, national minority children and those with migrant backgrounds. Reports from MUCF^{xc^{vii}} and the Ombudsman for Children^{xc^{viii}} reveal that LGBTQI children encounter higher rates of bullying, threats and violence than their peers. The reports call for increased resources in educational institutions and youth organisations. Moreover, while collaboration between civil society and national agencies has improved in protecting LBTQI children and youth from honour-related violence and conversion attempts, it is essential to enhance these efforts and work for a clear prohibition of such practices.

The Government has proposed repressive legislation for children in conflict with the law, including plans to establish child prisons^{xc^{ix}} and considerations to lower the age of criminal responsibility.^c

The CAT has sharply criticized the long periods of custody in Sweden.^{ci} A law amendment in 2021 stipulates that the time in custody for young suspects should be limited to three months. In 2023, however, the number of persons under 18 in custody rose and the share of young persons prosecuted instead fell to 60%, despite the proven risk for physical or psychological effects of the restrictions that come with custody.^{ciⁱⁱ}

Ageism is deeply rooted in Sweden and manifests itself in health care, elderly care, society planning, mass media, polls, questionnaires and research.^{ciⁱⁱⁱ} 28% of the population are 65 years+ and are represented by 4% in Parliament. Legislation including or regarding the elderly is scarce. Future power of attorney (Framtidsfullmakt) does not include health care.^{ci^v}

Recommendations:

- Adopt a new strategy on the rights of the child with an action plan, dedicated budget, and a framework for monitoring and evaluation
- Strengthen the independence of the Ombudsman for Children, amend its mandate to ensure children the right to claim redress for human rights violations, and ensure a sufficient budget
- Implement a national action plan to prevent and address violence against children, based on the findings of the state inquiry “A childhood free from violence”^{cv}
- Take immediate action to end violence against children in care settings and revise legislation to align with a child rights perspective
- Strengthen the protection for LGBTQI children by increasing funding for educational institutions, national agencies and civil society, especially youth organisations
- Implement policy changes and strengthen relevant stakeholders to protect LGBTQI children and youth from hate crimes, including conversion attempts and hate speech
- Ensure that measures against gang-related violence and child recruitment comply with the CRC and its interpretation by the CRC Committee
- Maintain the minimum age of criminal responsibility at 15 years
- Implement the recommendations of the NHRI report 2024^{cvi} including combatting ageism in all exercise of public authority
- Amend the *future power of attorney* to include health care

10. Rights of asylum seekers and irregular migrants

Several rights of asylum seekers and irregular migrants are at risk. The CESCR expressed concern about a proposal requiring civil servants, including healthcare professionals, teachers and social workers, to report undocumented migrants to the immigration authorities.^{cvii} This would impede migrants' human rights.

The daily allowance for asylum seekers, has not been adjusted since 1994 and as of 2020, this allowance will be withdrawn if the beneficiary settles in a socioeconomically disadvantaged area.

Assessment of religion-based asylum applications often fall short of international standards.^{cviii} Frequent errors by interpreters employed by the Swedish Migration Agency (SMA) undermine the credibility of asylum seekers,^{cxix} and case officers often base credibility assessments on subjective perceptions of Christianity rather than current research on religion and conversion.^{cx} However, some welcome steps have been taken.^{cxii}

The SMA continue to rely on unlawful stereotypes in assessing SOGIESC asylum claims, violating both Swedish and international law. Despite a prohibition on discretion reasoning for over two decades, these stereotypes lead to credibility assessments based on universal life experiences of LGBTIQ individuals. As a result, asylum seekers may be unjustly denied protection and deported to countries where they face severe persecution, including torture and execution.^{cxiii} LGBTIQ children and youth are particularly vulnerable, facing unreasonable expectations as they are assessed with the same criteria as adults. Credibility assessments need a research-based methodological change, as current practices lack a solid foundation.^{cxiiii}

The right of the child to family life, including family reunification, has become increasingly difficult due to i.a. temporary residence permits and strict maintenance requirements.^{cxv} In 2016, the temporary Aliens Act^{cxvi} restricted family reunification for those with alternative protection status, and the 2021 Aliens Act^{cxvii} further limited long-term residency permits and added requirements for family reunification. Sweden systemically denies family reunion when PWD cannot fulfil the maintenance requirement, failing to meet the target income and lacking access to housing of the required size.^{cxviii}

The government rarely follows the recommendations of treaty bodies, including individual complaints. One example is WGAD Opinion A/HRC/WGAD/2022/26^{cxix} to which the Government has given no follow-up information to the WGAD, nor implemented any of its requests or recommendations.^{cxix}

Recommendations:

- Discontinue the plan to require civil servants to report irregular migrants to authorities
- Ensure that social security benefits, including the basic unemployment benefit and the daily allowance for asylum-seekers, are indexed to the cost of living to ensure an adequate standard of living
- Align assessments of religion-based asylum applications with UNHCR guidelines^{cxix}
- Improve the expertise of SMA case officers and decision makers in migration legislation, ensuring that written evidence, including from churches, and the principle of non-refoulement are properly considered during the migration process

- Implement measures to ensure a fair asylum process for LGBTQI individuals, incorporating children's rights and youth perspectives in credibility assessments and the reception system
- Guarantee the right of the child to family reunification in Sweden
- Ensure that refugees and asylum seekers with disabilities, including those under temporary protection from Ukraine, have access to essential and disability-related services
- Provide research-based training for personnel working with traumatized individuals in the context of asylum^{cxxi}
- Continuously evaluate and improve asylum investigations for individuals seeking protection based on sexual orientation, gender identity, and/or gender expression according to national and international law
- Comply with decisions and recommendations from treaty bodies on individual complaints
- Amend legislation in accordance with international law to prohibit arbitrary, indefinite detention of individuals during migration proceedings^{cxxii}

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