



## Sweden

Last update: 15/03/2021

Membership to the Council of Europe	5 May 1949
Entry into force of the European Convention on Human Rights	3 September 1953
First case under supervision of execution	<b><i>Sporrong And Lönnroth</i></b> (7151/75) Judgment final on 23 September 1982
Total number of cases transmitted for supervision since the entry into force of the Convention	85
Total number of cases closed by final resolution	82

### MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION\*

#### > Functioning of justice

**Refusal of the Swedish courts to exercise jurisdiction – as authorized under EU-law - in respect of defamation complaints lodged by a Swedish resident against a television broadcast** from the United Kingdom aimed for a Swedish audience; absence of effective remedy.

***Arlewin*** (22302/10)  
Judgment final on 01/06/2016

**Status of execution**  
Enhanced supervision

\* Detailed information concerning the Committee of Ministers' supervision of the execution of judgments and decisions of the European Court of Human Rights, notably the distinction between enhanced and standard supervision, are available on [the website of the Department for the Execution of Judgments](#).



## SUPERVISION CLOSED - MAIN REFORMS ADOPTED\*\*

## &gt; Reception / Expulsion – effective remedy

**Creation of a three-level appeal system with the Administrative Court of appeal** in Stockholm as the highest instance, together with the implementation of clear rules as regards residence permits and consequent emphasis on grounds for protection.

**Bader and Kanbor** (13284/04)  
Judgment final on 08/02/2006

**Final Resolution**  
**CM/ResDH(2010)112**

## &gt; Functioning of justice

**Introduction of general right of access to court against government decisions** affecting the personal status of private subjects, about their personal and economic interrelationships, about their obligations to the community and about other interferences with their personal or economic situation.

**Pudas** (28426/06)  
Judgment final on 27/10/1987

**Final resolution**  
**CM/ResDH(1988)16**

**Access to court ensured in cases of revocation, dismissal or readmission of unemployed to labour market programs:** after review by the Employment Service Central Review Division an appeal lies since 2010 before a general administrative court.

**Mendel** (28426/06)  
Judgment final on 07/07/2009

**Final Resolution**  
**CM/ResDH(2013)196**

**Efficient access to court to challenge tax surcharges:** unconditional right since 2003 to obtain a stay of enforcement of tax surcharges until the tax authority has examined requests for the reconsideration of its decision or, if an appeal to the courts is lodged, until the appeal has been examined; **acceleration of proceedings:** the time-limit for reconsideration of decisions has been limited to 3 months; **effectiveness of remedies:** possibility for the tax authorities and courts to remit or reduce tax surcharges in case of excessive length of proceedings.

**Janosevic** (34619/97)  
Judgment final on 21/05/2003

**Final Resolution**  
**CM/ResDH(2007)59**

**Efficient access to court to challenge attachment orders:** Since 2016, orders for distribution or payment pursuant to attachment orders will not be final until the time-limit for an appeal against the order has passed.

**Olsby** (36124/06)  
Judgment final on 21/09/2012

**Final Resolution**  
**CM/ResDH(2016)140**

## &gt; Prohibition of double conviction

**Prohibition for the Tax Agency to decide on tax surcharges if a prosecutor has already initiated criminal proceedings** for tax offences concerning the same individual and relating to the same error or omission -legislative change in 2016.

**Lucky Dev** (7356/10)  
Judgment final on 27/02/2015

**Final Resolution**  
**CM/ResDH(2016)141**

\*\* This section may also include certain major reforms already implemented in the context of cases still pending.

For a thorough overview of reforms adopted since the entry into force of Protocol No. 11 in 1998 see the [Annual Report 2015](#), Part IV "Main achievements". As regards the period 1959-1998, see the overview provided by the European Court in its special publication "Survey : 40 years of activity", section IV "Effects of judgments and decisions" – both documents, together with a number of additional ones, are available also on the website of the Department for the Execution of Judgments of the European Court of Human Rights.



## SUPERVISION CLOSED - MAIN REFORMS ADOPTED\*\*

## &gt; Protection of home and correspondence

**Improved supervision of crime-fighting agencies as regards the use of secret surveillance and similar methods as well as of the Swedish Security Service's processing of personal data:** Supervision and control functions have been granted in 2008 to a new Commission, notably in order to improve individual access to a national legal remedy, supplementing and reinforcing that already existing to the Data Protection Board. A new Police Data Act in force since 2012 provides in addition a clearer regulation of the processing of personal data by the Swedish Security Service, including provisions on removal of data.

***Segerstedt-Wiberg and Others*** (63332/00)  
Judgment final on 06/09/2006

**Final Resolution**  
**CM/ResDH(2012)222**

Since 2013, **criminalisation of acts of covert filming of individuals in private places**, such as bathrooms and changing rooms, without their permission.

***Söderman*** (5786/08)  
Judgment final on 12/11/2013

**Final Resolution**  
**CM/ResDH(2014)106**

## &gt; Protection of property

**Introduction of time limits for expropriation permits and abolition of lengthy building prohibitions** without any right to compensation.

***Sporrong Lönnroth*** (7151/75)  
Judgment final on 23/09/82  
Judgment (just satisfaction) final on 18/12/1984  
**Final resolution**  
**CM/ResDH(1985)17**

Since 2005, **obligation of the creditor applying for bankruptcy to compensate the debtor for bankruptcy costs taken out of the estate** if a bankruptcy decision is quashed, unless the debtor has caused the costs by his own negligence.

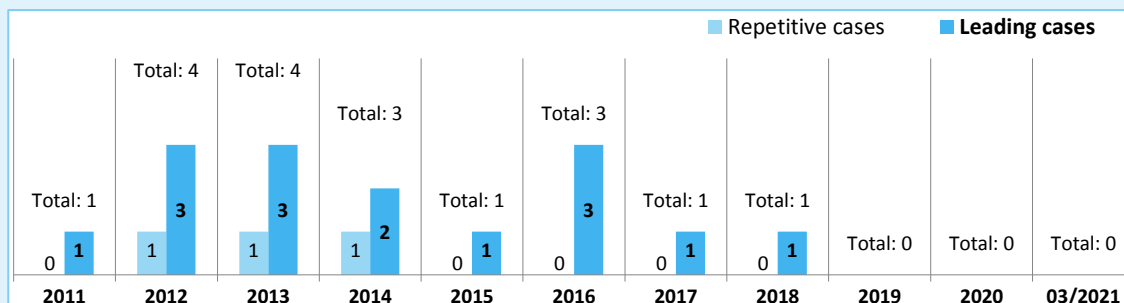
***Stockholms Försäkrings- och Skadeståndsjuridik Ab*** (38993/97)  
Judgment final on 16/12/2003  
**Final Resolution**  
**CM/ResDH(2009)13**



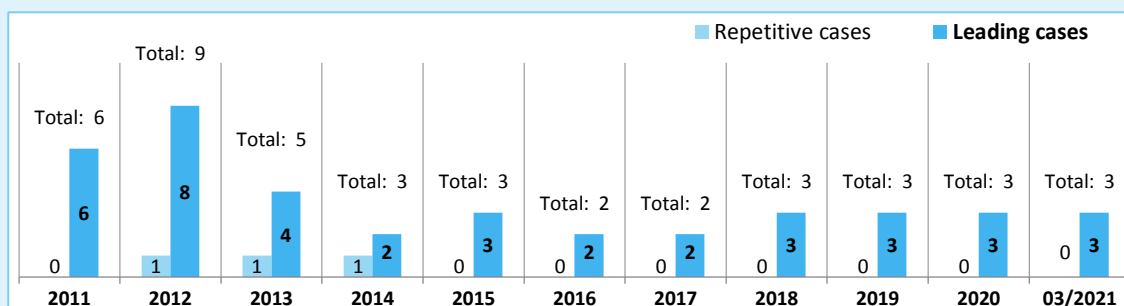
## STATISTICS\*\*\*

### New cases

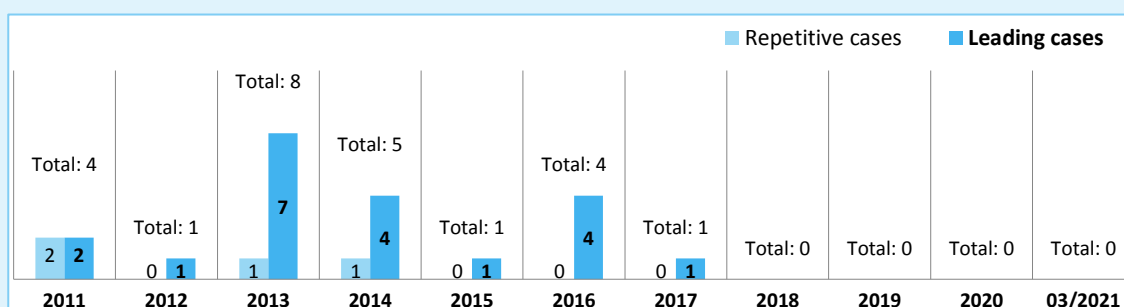
(judgments transmitted for supervision of their execution during the year)



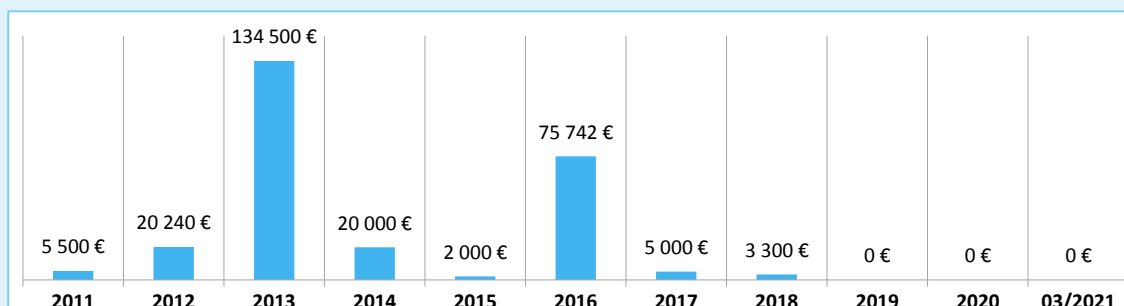
### Pending cases



### Cases closed by final resolution



### Just satisfaction awarded by the European Court



\*\*\* Detailed statistics are available in the [annual reports](#) of the Committee of Ministers. Figures are reported as they appear in the annual report for each year.