

Report on the visit to Sweden

from 2 to 6 October 2017

The human rights of immigrants, refugees and asylum seekers



- » The commitment to participate in the relocation of asylum seekers and to increase resettlement
- » The setting up of a commission of inquiry with the purpose of identifying possibilities for the granting of residence permits when there are practical impediments to the enforcement of a removal order
- » The joint coordination plan adopted by the County Administrative Board of Stockholm regarding unaccompanied minors who disappear



- » The severe humanitarian consequences of the 2016 amendment to the Law on the Reception of Asylum Seekers
- » The limitations to the right to family reunification following the law introducing temporary restrictions on the obtaining of a residence permit
- » Delays in the appointment of guardians for unaccompanied migrant minors
- » The long waiting time for unaccompanied minors who apply for asylum, which contribute to psychological distress
- » The increase in the number of unaccompanied minors that have gone missing
- » The purely medical character of the age assessment
- » The absence of a statelessness determination procedure

Recommendations

- » To ensure that rejected asylum seekers are treated in a both humane and human rights compliant manner so that their basic needs are met
- » To ensure that refugees and other beneficiaries of international protection fully enjoy their right to family reunification
- » To prioritise the asylum claims from unaccompanied minors
- » To ensure that each unaccompanied child is immediately appointed a competent and qualified guardian
- » To not rely only on a medical assessment of age but establish multidisciplinary procedures
- » To not return a child to a country where there are substantial grounds for believing that he or she is at real risk of irreparable harm
- » To establish a statelessness determination procedure and grant a permanent residence permit to persons identified as stateless

The human rights of persons with disabilities



- » The ratification in 2008 of the UN Convention on the Rights of Persons with Disabilities (CRPD)
- » The development of a new disability policy
- » The extension of the protection afforded by the Discrimination Act against discrimination on grounds of disability
- » Measures undertaken to foster employment of persons with disabilities
- » The innovative Personal Ombudsmen system
- » The existence of personal assistance services



- » The CRPD not being incorporated into Swedish law
- » The high unemployment rate among persons with disabilities
- » The appointment of an administrator as a form of substituted decision-making
- » The decrease in state-funded personal assistance and the reported trend towards re-institutionalisation
- » The prevalence of compulsory admissions and coerced treatment in psychiatric institutions

Recommendations

- » Expand the scope of protection against discrimination under domestic law to all spheres of life
- » To set up a national human rights institution in accordance with the Paris Principles, to monitor the national implementation of the CRPD
- » To phase out the term “reduced capacity to work” and instead focus on the ability of the person to work
- » To sustain progress in replacing all forms of substituted decision-making with supported decision-making
- » To closely monitor the impact of the decrease in state-funded personal assistance in terms of access to rights, resort to congregated settings and re-medicalisation of the approach to disability
- » To reform legislation on involuntary placement
- » To ensure that patients’ written informed consent is always sought before resorting to ECT and adequately registered