

ECRI REPORT ON SWEDEN

(sixth monitoring cycle)



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FOREWORD

The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, is an independent human rights monitoring body specialised in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance. It is composed of independent and impartial members appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

In the framework of its statutory activities, ECRI conducts country monitoring work, which analyses the situation in each of the member States of the Council of Europe regarding racism and intolerance and draws up suggestions and proposals for dealing with the problems identified.

ECRI's country monitoring deals with all member States on an equal footing. The work takes place in 5-year cycles. The reports of the first round were completed at the end of 1998, those of the second round at the end of 2002, those of the third round at the end of 2007, those of the fourth round in the beginning of 2014, and those of the fifth round at the end of 2019. Work on the sixth-round reports started at the end of 2018.

The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.

ECRI's reports are not the result of inquiries or testimonial evidence. They are analyses based on information gathered from a wide variety of sources. Documentary studies are based on a large number of national and international written sources. The in situ visit provides the opportunity to meet with the parties directly concerned (both governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to provide, if they consider it necessary, comments on the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final ECRI report.

The sixth round country reports focus on three topics common to all member States: (1) Effective equality and access to rights, (2) Hate speech and hate-motivated violence, and (3) Integration and inclusion, as well as a number of topics specific to each one of them.

In the framework of the sixth cycle, priority implementation is requested again for two specific recommendations chosen from those made in the report. A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

The following report was drawn up by ECRI under its own responsibility. Unless otherwise indicated, it covers the situation up to 21 November 2024; as a rule, developments since that date are neither covered in the following analysis nor taken into account in the conclusions and proposals therein.

SUMMARY

Since the adoption of ECRI's fifth report on Sweden on 5 December 2017, progress has been made and good practices have been developed in a number of fields.

The Living History Forum, a nationwide centre for promoting democracy, tolerance and human rights, using lessons learnt from the Holocaust and crimes against humanity committed in history, as its starting point, launched in 2020 a digital training tool for teachers, entitled "Difficult Questions in the Classroom", which includes a self-instructing digital course and a handbook for teachers.

The Swedish Holocaust Museum was established in July 2022 and amendments to the Criminal Code criminalising Holocaust denial, as well as related amendments to the Freedom of the Press Act, were adopted in May 2024. Amended legislation was adopted in April 2024, which makes legal gender recognition (LGR) administratively easier to obtain as it abolishes previously existing abusive requirements. At the same time, it lowers the minimum age for LGR from 18 to 16 (with the permission of a guardian), whereas surgical procedures to transition are allowed from the age of 18 on the basis of an agreement between a doctor and the person wishing to undertake them.

In 2022, the Prosecutor General issued new guidelines emphasising the need for thorough investigation and prioritisation of crimes potentially motivated by hate.

Since July 2022, there is new legislation that aims to increase the proportion of children with a migration background who participate in pre-school, in particular those with a need for language development in the Swedish language. Municipalities are thus required to contact guardians with children who do not attend pre-school and inform them about its advantages, which has already led to higher attendance rates, which in turn will presumably facilitate their inclusion in mainstream education in primary school.

Since 2022 there are public subsidies for employers to hire individuals, including newly arrived immigrants, who are disadvantaged in the labour market, by means of labour market entry agreements, agreed to by the main labour market organisations.

ECRI welcomes these positive developments in Sweden. However, despite the progress achieved, some issues give rise to concern.

There are shortcomings in many teachers' capacity to teach about racism and intolerance, including LGBTI issues, while current confrontations and conflicts in and outside Europe (including the current conflict in the Middle East) and manifestations of racism and intolerance in society are reflected in classrooms.

The Discrimination Act still does not explicitly include sex characteristics as a protected ground, and similarly, the Criminal Code does not explicitly include sex characteristics as a hate motivation for hate speech or hate crime.

Available statistics show that Black persons and people of African descent, often young, are common victims of hate crime, despite significant underreporting due to a lack of trust in the criminal justice system on the part of the victims. The crimes against these groups tend to involve a high occurrence of physical violence.

Various legislative and other measures already adopted or planned within the framework of the Tidö-agreement (i.e. a formal policy agreement concluded between the Government coalition and the right-wing Sweden Democrats party), such as tightening the conditions for family reunification, moving away from a policy of granting immigrants permanent residence permits and deporting any foreign national whose conduct is not considered appropriate, are likely to increase the sense of marginalisation and exclusion among migrants, and thus be harmful to integration.

The introduction of "security zones" bring great risks of racial profiling in the application of the new legislation in the context of stop and search measures, which worryingly will also be applied to children.

There are structural challenges in discrimination victims' pursuit of justice in courts, manifested by high-cost risks and relatively low success rates for complainants, as well as low compensation rates even if the case is won, which in turn means that the rates are not dissuasive for offenders.

In this report, ECRI requests that the authorities take action in a number of areas and makes a series of recommendations, including the following.

The authorities should, as a matter of priority, reinvigorate the role of education as a tool to better live together in intercultural societies and understand societal issues linked to questions such as racial and LGBTI-phobic stereotypes as well as prejudices related to religions and beliefs, by raising awareness among teachers about existing tools developed for this purpose and by providing compulsory training to them in how to use such tools to promote tolerance and mutual respect in the classroom.*

The authorities should encourage public figures such as politicians to take a prompt, firm and public stance against racist, and LGBTI-phobic hate speech and react to any such expression with strong counter-hate speech messages and alternative speech, as well as promote understanding between communities, including by expressing solidarity with those targeted by hate speech.

The authorities should ensure that anonymised and disaggregated data on hate crime is systematically and consistently collected and analysed at all stages of its processing, from the point of reporting and recording to prosecution, sentencing and post-conviction support and diversion measures.

The authorities should periodically collect and analyse relevant data about the implementation of the 2012-2032 Strategy for Roma inclusion, in view of making any necessary adjustments. This exercise should be conducted in consultation with civil society actors working in support of Roma, especially in the fields of education, housing, employment and health. The data collection should respect principles of confidentiality, voluntary self-identification and informed consent. Such data should also cover the situation of Roma foreign nationals.

The authorities should, as a matter of priority, review police guidelines on interaction with the public and better regulate “stop and search” activities, with a particular emphasis on the treatment of children and young people. In doing so, the authorities should introduce an effective system of tracking identity checks/stop and search instances by law enforcement officials, in order to allow enhanced supervision and to maintain public trust among residents of so-called “security zones”.*

The authorities should review the applicable civil and administrative law provisions relevant to discrimination with a view to introducing more effective, proportionate and dissuasive sanctions, considering ways of improving the provision of legal aid to applicants in such cases, and ensuring appropriate compensation for both material and moral damages to victims.

* The recommendation in this paragraph will be subject to a process of interim follow-up by ECRI no later than two years after the publication of this report.

FINDINGS AND RECOMMENDATIONS

I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

A. Equality bodies

1. The Equality Body of Sweden is the Equality Ombudsman (*Diskrimineringsombudsmannen* – hereafter DO),¹ whose mandate is mainly provided by the 2008 Act Concerning the Equality Ombudsman.² The 2008 Discrimination Act³ is also relevant, as are some acts⁴ related to family rights, the violations of which the Ombudsman may pursue in court on behalf of victims. In the absence of major developments, ECRI's previous findings and recommendations concerning the legislation on and mandate of the Equality Ombudsman are still valid, notably its recommendation⁵ for adequate powers and expertise to be vested in the Equality Ombudsman institution to allow it to investigate discrimination by all public authorities, including law enforcement agencies.⁶ In 2018, the Government commissioned an inquiry into possible amendments to the Act. The inquiry result was published in 2021.⁷ It has nevertheless not yet led to actual amendments, though ECRI was informed that they are forthcoming. ECRI trusts that the recommended legislative changes will be made without further delay.
2. As regards independence, the Government cannot intervene directly in any specific decision by the Equality Ombudsman. However, it can give instructions about additional assignments and appropriation directions. In addition, the institution's independence may be considered compromised by the fact that the Government can dismiss its Head if "there are grounds for dismissal", which ECRI understands should only be interpreted as gross neglect of duties.⁸ The Head of the Equality Body can also be transferred to another "government position" if it is necessary for "organisational reasons" or "in the best interest of the agency."⁹ Further, the ECRI delegation was told by civil society interlocutors in the context of the April 2024 visit to Sweden that some people considering themselves as victims of discrimination refrained from bringing their cases to the DO because they do not consider it as an independent institution given its status as a government agency. ECRI encourages the authorities to review the status of the Equality Ombudsman, and to align it further with its General Policy Recommendation No. 2 on equality bodies to combat racism and intolerance at national level, with a view to developing public trust in the institution and securing institutional independence.
3. During the visit, the ECRI delegation was informed that the overall number of petitions is increasing and many relate to ethnicity. Civil society interlocutors met

¹ See [English \(engelska\) | DO](#)

² See: [Act concerning the Equality Ombudsman | DO](#)

³ See [Discrimination Act, 2008:567 | DO](#)

⁴ The 2008 Regulation on the Instruction for the Equality Ombudsman, the 1995 Parental Leave Act, the 1988 Act on subsidies and leave of absence to take care of close relatives and the Act on leave of absence for urgent family reasons.

⁵ <https://rm.coe.int/ecri-conclusions-on-the-implementation-of-the-recommendations-in-respe/1680a0a08b>

⁶ At present, there are for example complaints related to racism and discrimination in law enforcement and border control, in which the DO cannot intervene effectively because the anti-discrimination law it does not cover situations involving exercise of a public authority in relation to individuals, decisions, actions, or failures to act by public officials.

⁷ See <https://www.regeringen.se/contentassets/f1154e89971b495585c05e3173b78568/ett-utokat-skydd-mot-diskriminering-sou-202194/> (in Swedish language with a summary in English).

⁸ Such cases are examined by a special authority, the Government Disciplinary Board for Higher Officials.

⁹ Such a transfer reportedly occurred in 2012.

by the ECRI delegation expressed appreciation for what they considered increased willingness by the DO to pursue cases in court in recent years.¹⁰

B. Inclusive education

4. According to the 2010 Education Act,¹¹ anyone working in education should promote human rights and actively counteract all forms of offensive treatment. Teachers receive initial training to communicate and instil core educational values, including human rights. The human rights subject is also explicitly mentioned in the national curriculum. However, according to several interlocutors met by the ECRI delegation during the visit, there is no guidance on how to teach human rights issues. ECRI invites the authorities to provide teachers with mandatory continuous training in issues relating to human rights, including the prohibition of discrimination, which should cover *inter alia* up-to-date European and international standards.
5. The Education Act and the Discrimination Act¹² oblige schools and municipalities to work against bullying. The Education Act¹³ provides that pre-schools and schools should draw up an annual plan against bullying incidents. Schools have to inform the local municipal education authority about bullying incidents unless they can be stopped immediately. Schools themselves are not obliged to keep bullying records, but if a child experiences bullying, the school in question has to act and investigate.
6. Some municipalities, such as Malmö and Nacka, have developed action plans against bullying in schools. In some cases, individual schools have drawn up such plans.¹⁴ Further, the NGO Friends¹⁵ carried out research projects against bullying in schools.¹⁶
7. According to civil society actors met by the ECRI delegation during the visit, surveys among students revealed that the most common grounds for bullying among young people (in and outside schools) is ethnicity, while sexual orientation and gender identity are also common grounds. In 2022 study, the Children's Ombudsman concluded that many LGBTI pupils still perceive schools as unsafe places with a greater risk for falling victims of hate, threats, mobbing or violence.¹⁷ Similarly, according to studies carried out by the Swedish Agency for Youth and Civil Society (MUCF), a government agency,¹⁸ only 58 % of the LGBTI pupils surveyed always feel safe in schools.¹⁹
8. In ECRI's view, effective policies to prevent, monitor and respond to bullying in schools require that bullying incidents, including bullying grounds, are properly recorded and that the ensuing records are accessible to the central education authorities as a basis for developing national policies against bullying in schools.

¹⁰ In this connection, see page 10 of the 2023 country report on Sweden by the European Network of Legal Expert in gender equality and non-discrimination, available at <https://op.europa.eu/o/opportal-service/download-handler?identifier=1d8d032a-61a6-11ee-9220-01aa75ed71a1&format=pdf&language=en&productionSystem=cellar&part=>

¹¹ Law 2010: 800, available in Swedish at [Skollag \(2010:800\) | Sveriges riksdag \(riksdagen.se\)](https://www.riksdagen.se/sv/dokument-och-lagar/dokument/svensk-forfattningssamling/skollag-2010800_sfs-2010-800/#K6)

¹² See Chapter 2, § 7 and Chapter 3 of the Act (in Swedish language).

¹³ Available at https://www.riksdagen.se/sv/dokument-och-lagar/dokument/svensk-forfattningssamling/skollag-2010800_sfs-2010-800/#K6 see Chapter 6, § 8 o

¹⁴ For example the Boo Gård Skola <https://www.nacka.se/4a3c4e/globalassets/valfard-skola/boo-gards-skola/dokument/plan-mot-diskriminering-och-krankande-behandling-2023-2024.docx.pdf>, in the Nacka municipality, or, the Glasbruk school in Malmö: [Plan mot diskriminering och kränkande behandling - Malmö stad \(malmo.se\)](https://www.malmo.se/plan-mot-diskriminering-och-krankande-behandling).

¹⁵ See [United Against Bullying! | Friends](https://www.friends.se/)

¹⁶ See [Forsknings- och utvecklingsprojekt för barnens bästa | Friends](https://www.barnombudsmannen.se/globalassets/dokument/publikationer/for-en-mer-trygg-och-inkluderande-skola-for-unga-transpersoner-och-icke-binara.pdf) (in Swedish language).

¹⁷ <https://www.barnombudsmannen.se/globalassets/dokument/publikationer/for-en-mer-trygg-och-inkluderande-skola-for-unga-transpersoner-och-icke-binara.pdf>

¹⁸ See [Welcome to MUCF | MUCF](https://www.mucf.se/)

¹⁹ See page 21, available at https://www.mucf.se/sites/default/files/2023/09/Utbildning_webb.pdf (in Swedish language)

9. ECRI recommends that the authorities set up effective policies and mechanisms to prevent, monitor and respond to bullying, including online, in schools, as well as a system to monitor and deal with racist and anti-LGBTI incidents in schools.
10. ECRI positively notes the impressive work done against intolerance in some schools, including in “socio-economically exposed areas”. To increase religious tolerance in the Appellgård school in Malmö, which the ECRI delegation visited in April 2024, and at which 36 languages and about 50 nationalities are represented, fifth grade pupils of the school visit a synagogue, a mosque and a Christian church every year. In ECRI’s view, this is **good practice**.
11. In Malmö, 31 schools take part in co-operation between schools, social and police services, and providers of leisure time activities for children and youth. This co-operation²⁰ aims at preventing negative social tensions affecting students, whether in or outside schools. ECRI considers such co-operation a **good practice**.
12. Moreover, the Living History Forum is commissioned by the Government to be a nationwide centre for promoting democracy, tolerance and human rights, using lessons learnt from the Holocaust and crimes against humanity committed in history as its starting point.²¹ It carries out major education initiatives on different forms of racism throughout history and in the present day. It offers education and training for school staff and other public sector employees, with a focus on quality public sector services to the general public through work against racism.²² It also implements knowledge-enhancing initiatives against antisemitism and is tasked with mapping knowledge about antigypsyism in compulsory and upper secondary schools, while proposing measures to work against it. In 2020, the Living History Forum launched a digital training tool for teachers, entitled “*Difficult Questions in the Classroom*”.²³ It includes a self-instructing digital course and a handbook for teachers. The purpose of the training tool is to enhance teachers' knowledge and ability to manage anti-democratic expressions, Holocaust denial, conspiracy theories, “alternative facts” and extremist statements.
13. ECRI also take notes of positive initiatives conducted by the MUCF, which provides materials for schools and online courses for teachers. For instance, the *Öppna Skolan!* Initiative²⁴ (2019) is about LGBTI equality and inclusion for grades 7–9 and for upper secondary school. By contrast, few universities offer staff training on LGBTI issues and a survey shows that universities do not consider addressing possible discrimination of LGBTI employees a priority.²⁵
14. ECRI wishes to underline that in current times of confrontations and conflicts in and outside Europe (including the current conflict in the Middle East) and manifestations of racism and intolerance in society, tensions are inevitably reflected in classrooms, which are featuring students with diverse national, ethnic and religious backgrounds as well as LGBTI students. According to a survey by the School Inspectorate, teachers find it difficult to teach about racism and intolerance, as well as, amongst other things, LGBTI issues. Pupils on their part have reported that teachers sometimes avoid bringing up controversial issues for discussion in order not to have disagreements between pupils. The capacity of schools and teachers to deal with controversial issues in the classroom naturally

²⁰ More information is available at [Förebyggarsektionen och SSPF - Malmö stad \(malmo.se\)](https://www.forebyggarsektionen.se/SSPF-Malmo-stad) (in Swedish language).

²¹ See [Learn and teach - Forum för levande historia](https://www.forumforlevandehistoria.se/)

²² See [Measures against racism, similar forms of hostility and hate crime - Government.se](https://www.government.se/contentassets/a613979cb5e94ba2a236147a2bc979c1/action-plan-for-equal-rights-and-opportunities-for-lgbtq-people.pdf)

²³ Available at [Svåra frågor i klassrummet - Forum för levande historia](https://www.forumforlevandehistoria.se/)

²⁴ In English “Open School”. Within this initiative teachers are also supported in their teaching of LGBTI issues. See National LGBTI Action Plan, page 17, available at <https://www.government.se/contentassets/a613979cb5e94ba2a236147a2bc979c1/action-plan-for-equal-rights-and-opportunities-for-lgbtq-people.pdf>.

²⁵ See [Few universities offer staff training on LGBTQ issues - Universitetsläraren \(universitetslararen.se\)](https://www.universitetslararen.se/)

varies significantly, but the School Inspectorate concluded that 21 out of 30 schools evaluated required improvements in handling these issues.

15. ECRI recommends as a matter of priority that the Swedish authorities reinvigorate the role of education as a tool to better live together in intercultural societies and understand societal issues linked to questions such as racial and LGBTI-phobic stereotypes as well as prejudices related to religions and beliefs, by raising awareness among teachers about existing tools developed for this purpose and by providing compulsory training to them in how to use such tools to promote tolerance and mutual respect in the classroom.
16. It emerged during the ECRI visit to Sweden that the closure of several private schools with a Muslim affiliation raised questions. The schools concerned were reportedly closed on the grounds of alleged links of school representatives with violent Islamists, following warnings from the Swedish security service (SÄPO) and shortcomings identified by the School Inspectorate. Civil society interlocutors met by the ECRI delegation during the visit deplored the lack of clarity and transparency of the decision-making process leading to closure and considered that such moves contributed to an “atmosphere of suspicion” against the Muslim community as a whole. ECRI encourages the authorities to ensure that any decision on closing a private school with a Muslim (or any other religious) affiliation is based on a clear and transparent procedure and that communication around any such decision is organised in such a way as to avoid contributing to a climate of suspicion around Muslims (or other religious communities concerned).

C. Irregularly present migrants

17. The Swedish authorities informed ECRI that they have no reliable data on the number of migrants who are irregularly present in Sweden.²⁶
18. At the end of November 2024, the results of a government inquiry²⁷ were presented as regards proposed legislation in line with the so-called Tidö-agreement²⁸ in order to make it a duty for public sector employees to inform the immigration authorities about any irregularly present migrants they come across.²⁹ The plans for such legislation have also encountered resistance from various actors, including from the Church of Sweden and the Union for Professionals, Sweden’s leading trade union in the field of social sciences.³⁰ The inquiry supports the plan of placing a reporting duty on staff working in six different public services,³¹ but recommended that the healthcare sector, schools and social services in particular be excluded from the duty to inform. The Government has expressed its intention to take action in line with that recommendation. ECRI encourages the authorities to ensure that, both in law and practice, immigration control and enforcement are decoupled from

²⁶ In December 2022, the Government nevertheless referred to the figure of 100 000. See <https://www.expressen.se/nyheter/desom-inte-har-ratt-att-vistas-i-sverige-ska-ut/> (in Swedish language)

²⁷ See [Tilläggsdirektiv till Utredningen om stärkt återvändandeverksamhet \(Ju 2022:12\) - Regeringen.se](https://www.regeringen.se/pressmeddelanden/2022/12/12-12) (in Swedish language).

²⁸ Following the general elections in Sweden in September 2022, a minority government with the Moderate Party as lead political party was formed. To secure necessary support in Parliament, a formal policy agreement was concluded between the Government coalition and the right-wing Sweden Democrats party (which some monitors qualify as being on the far-right of the Swedish political spectrum). The agreement, known as the Tidö-agreement, was presented by the parties to it in October 2022, see [The Government's political priorities - Government.se](https://www.government.se/pressmeddelanden/2022/10/2022-10-12). Much of the content in the agreement is related to immigration policies and raised various questions. The NGO “Civil Rights Defenders” presented an [analysis](https://www.civilrightsdefenders.org/en/analysis-of-the-tido-agreement) of the agreement shortly after the agreement had been published and, in December 2023, a review of its hitherto implementation was [published](https://www.civilrightsdefenders.org/en/tido-agreement-review). The agreement lays the ground for commissioning inquiries in different areas, to form the basis for legislative proposals to follow.

²⁹ Page 33 of the [Tidö-agreement](https://www.government.se/pressmeddelanden/2022/10/2022-10-12) (in Swedish language).

³⁰ See [Svenska kyrkan m.fl.: "En plikt att ange papperslösa barn strider mot barnkonventionen" - Svenska kyrkan](https://www.svenskakyrkan.se/2022/11/en-plikt-att-ange-papperslosa-barn-strider-mot-barnkonventionen) (in Swedish language), [Stoppa angiverilagen! \(akademssr.se\)](https://www.akademssr.se/stoppa-angiverilagen/) and [The Union for Professionals – the voice for academics \(akademssr.se\)](https://www.akademssr.se/the-union-for-professionals-the-voice-for-academics/).

³¹ The Public Employment Service, the Social Insurance Agency, the Prison and Probation Service, the Enforcement Agency (Kronofogden), the Pension's Agency and the Tax Agency.

the provision of basic services and assurance of rights of irregularly present migrants within their jurisdiction.³²

19. According to present Swedish legislation,³³ irregularly present migrant children have the same right to education as resident children. Municipalities can claim reimbursement from the State for costs resulting from the provision of education to such children attending education from pre-school to upper secondary level.³⁴
20. As regards access to health care, since 2013,³⁵ irregularly present migrants have the same right to medical care as asylum seekers, and that is care that “cannot wait/be deferred”. This definition resulted in different practices by various service providers in the health sector, even if many interpreted it broadly as a medical condition which may get worse if left untreated.
21. In the field of employment, there is a Trade Union Centre for Undocumented Migrants³⁶ that offers advice to irregularly present migrants. Many of its clients are afraid of contacting the Working Environment Authority³⁷ and often instead contact the centre about work issues, typically unpaid salaries, something often solved after the centre contacts the employer. The centre, whose activities ECRI considers **good practices**, can also support irregularly present migrants in employment litigation by taking their cases to a labour tribunal.

D. LGBTI equality³⁸

22. The Discrimination Act (2008:567) explicitly bans discrimination on grounds of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. It does not explicitly include sex characteristics.³⁹
23. ECRI recommends that the Government prepare and present to Parliament amendments to the Discrimination Act with a view to adding explicitly sex characteristics to prohibited discrimination grounds, in line with recommendation 7 of ECRI’s General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.
24. Discrimination of LGBTI persons is comparatively uncommon in Sweden. It nevertheless does occur. On the ILGA-Europe Rainbow Map and Index, Sweden finds itself in the 11th place, with an overall score of 64,38 %.⁴⁰ A survey of the EU Fundamental Rights Agency (FRA) on LGBTI equality, which was published in 2020, found that 5% of respondents in Sweden faced discrimination when looking for work (EU-28 average: 10%) and 14% when at work (EU-28 average: 21%).⁴¹
25. Sweden had an 2020-23 Action Plan for the Equal Rights and Opportunities of LGBTI people.⁴² Work on a new action plan began in February 2024.⁴³ During the

³² See [ECRI General Policy Recommendation N°16 - European Commission against Racism and Intolerance \(ECRI\) \(coe.int\)](https://www.coe.int/t/e/treaties/ECRI/ECRI_N16.aspx)

³³ See in particular §2 of the regulation on State support for education for irregularly present migrant children: [Förordning \(2013:361\) om statsbidrag för utbildning för barn som vistas i landet utan tillstånd | Sveriges riksdag \(riksdagen.se\)](https://www.riksdagen.se/sv/dokument-lag/dokument/rikspolislag/2013361-om-statsbidrag-for-utbildning-for-barn-som-vistas-i-landet-utan-tillstand/Sveriges-riksdag-riksdagen.se) (in Swedish language).

³⁴ See [Skolplikten och rätt till utbildning - Skolverket](https://www.skolverket.se/om-skolverket/utbildning-och-utveckling/skolplikten) (in Swedish language).

³⁵ See relevant 2013 legislation [Lag \(2013:407\) om hälso- och sjukvård till vissa utlänningar som vistas i Sverige utan nödvändiga tillstånd | Sveriges riksdag \(riksdagen.se\)](https://www.riksdagen.se/sv/dokument-lag/dokument/rikspolislag/2013407-om-halso-och-sjukvard-till-vissa-utlannningar-som-vistas-i-Sverige-utan-nodvandiga-tillstand/Sveriges-riksdag-riksdagen.se) (in Swedish language).

³⁶ See [Trade union centre for the undocumented \(fcfp.se\)](https://www.fcfp.se/)

³⁷ [About us - Arbetsmiljöverket \(av.se\)](https://www.av.se/)

³⁸ For terminology, see ECRI’s [Glossary](https://www.coe.int/t/e/treaties/ECRI/ECRI_N16.aspx).

³⁹ The view of the government as stated in the 2020-23 Action Plan for the Equal Rights and Opportunities of LGBTI people, is that sex characteristics are also covered by the Act, because of such a stated intension in the preparatory works for the Act. See <https://www.regeringen.se/contentassets/93e20976982b4d798400b20ac57a966f/handlingsplan-hbtqi-221031.pdf>

⁴⁰ For more details, see [Sweden - Rainbow Map \(ilga-europe.org\)](https://www.ilga-europe.org/)

⁴¹ See https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality-1_en.pdf

⁴² See: <https://www.regeringen.se/contentassets/93e20976982b4d798400b20ac57a966f/handlingsplan-hbtqi-221031.pdf>

⁴³ See [Startskott för arbetet med en ny handlingsplan för hbtqi-personers lika rättigheter och möjligheter - Regeringen.se](https://www.regeringen.se/contentassets/93e20976982b4d798400b20ac57a966f/handlingsplan-hbtqi-221031.pdf) (in Swedish language).

April 2024 visit, the ECRI delegation was informed that it was expected to be presented by the end of the year. The Government has a co-ordinated approach to LGBTI matters, with 12 Government agencies involved. Among them, the Public Health Agency⁴⁴ has a co-ordinating role.

26. In 2022, new legislation making the presumption of parenthood automatic for all couples who are married and have a child in Sweden, regardless of gender, entered into force, as well as legal provisions putting an end to the differentiation between same-sex and different-sex couples when it comes to parenthood recognition for a child born and registered abroad. This is a positive development.
27. Legal gender recognition (LGR) has been possible for transgender persons since 1972. However, the legislation from this year initially contained abusive requirements, such as sterilisation.⁴⁵ In April 2024, the Parliament adopted a new LGR legislation, namely two laws that are expected to enter into force on 1 July 2025. One such law concerns the administrative procedure for changing legal gender in the official register and the other one relates to surgical procedures for changing gender. The new legislation lowers the minimum age for LGR from 18 to 16 (with the permission of a guardian). A diagnosis of gender dysphoria is also no longer required; a simple certificate from a doctor and a permission from the National Board of Health and Welfare will suffice. Surgical procedures to transition will be allowed from the age of 18 on the basis of an agreement between a doctor and the person wishing to undertake them. ECRI welcomes the adoption of the new legislation.
28. There are gender clinics in Stockholm, Alingsås, and Linköping, Uppsala, Umeå and Malmö/Lund. Trans specific healthcare is covered by the general health insurance. However, at present both adults and children face waiting times of one to three years for a first appointment to discuss trans-specific healthcare.⁴⁶ ECRI hopes that the new LGR legislation will significantly reduce waiting times for medical appointments about trans-specific healthcare.
29. In Spring 2023 the NGO Transamman conducted a survey⁴⁷ aimed at families and friends of transgender people, to gain more knowledge of their experiences and needs. The majority of those who answered were mothers of transgender persons. Key findings include that 92 % of respondents are worried about the health of their trans family members or transgender people close to them. Only 17,4 % of respondents consider the knowledge of general health care and other staff to be good or very good. Such lack of knowledge results in anxiety, lack of support and worse health. ECRI therefore welcomes that the Karolinska University Hospital in Stockholm will introduce a new course about transgender healthcare for general practitioners and invite the relevant authorities to encourage the introduction of such a course for relevant professionals in healthcare facilities.
30. According to a March 2022 MUCF report on so-called conversion therapies,⁴⁸ 18 % of LGBTI youth have reported that somebody had tried to influence their sexual orientation, gender identity or expression, in most cases by telling them to change. Among them, 5 % reported having been subjected to some form of conversion “therapy” or threats. The MUCF recommended that the need for a legal ban be

⁴⁴ [The Public Health Agency of Sweden \(folkhalsomyndigheten.se\)](https://www.folkhalsomyndigheten.se)

⁴⁵ In 2018, the Riksdag (Parliament) passed a Law (No. 162/2018) to compensate persons whose lives had been impacted by the sterilisation requirement of the 1972 law before it was abolished in 2013. As the possibility to seek compensation was limited in time, there are no more applications or decisions about them.

⁴⁶ ILGA-Europe Annual Review 2023 (page 140, section on Sweden).

⁴⁷ The survey results are available, in Swedish with a summary in English, at [Ny rapport om närståendes erfarenheter och behov - Transamman](#)

⁴⁸ See [Unga hbtq-personers utsatthet för omvändelseförsök i Sverige | MUCF](#) (in Swedish language).

examined. A Government inquiry published in 2023⁴⁹ concluded that a separate legal provision to criminalise so-called conversion therapies would not be purposive and that the current applicable legal sanctions were sufficient. In this context, ECRI encourages the authorities to conduct monitoring of the effectiveness of existing legislation and where necessary take further action in the light of recommendation 22 of its General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.

II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE

A. Hate speech⁵⁰

31. The Swedish Criminal Code contain a provision⁵¹ against statements or messages targeting a population group based on race, colour, national or ethnic origin, religious belief, sexual orientation, or transgender identity or gender expression, which is punishable with up to two years of imprisonment, or if the offence is less serious, with a fine. However, there is no explicit reference to intersex persons as regards hate motivations in the legislation (also see also section II.B. of the present report).
32. ECRI recommends that the Government prepare and present to Parliament amendments adding sex characteristics as one of the grounds among the explicit hate elements in the Criminal Code and in any other pieces of legislation relevant to prohibiting hate speech and hate crime.
33. Over the years the number of reports to the police about “agitation against an ethnic or national group”, which generally concern hate speech targeting a specific population group, including religious communities, have varied. In 2022, there were 961 such reports, down from 2017 when the number was 2225.
34. According to 2022 statistics collected and analysed by the Swedish National Council for Crime Prevention (Brå), 33% of the hate crimes that year took the form of verbal or other non-physical abuse, which may presumably be considered hate speech. Similarly, digital environments were reported as the location of the crime in 14% of the cases.⁵² Since September 2021, the Swedish Defence Research Agency has been tasked with mapping the incidence of different forms of racism in a digital environment. A resulting study was published in October 2022.⁵³ It showed that people of Middle Eastern and North African descent are particularly exposed to prejudice and negative assumptions, as are Muslims, often in an intersectional manner.
35. From 7 October until 31 December 2023, Brå identified a total of 110 hate crimes with antisemitic motivations, which is close to five times as many as in the corresponding period in 2022. Among these, 39 % were classified as agitation against an ethnic or national group.⁵⁴
36. Sweden endorses the working definition of antisemitism of the International Holocaust Remembrance Alliance (IHRA). Nonetheless, representatives of Jewish organisations met during the ECRI visit considered that there is not enough awareness and knowledge concerning antisemitism within government agencies

⁴⁹ See page 36 (in the English summary)

<https://www.regeringen.se/contentassets/4a1d897d409649d48ee1b0c7d0a41593/forstarkt-skydd-for-den-personliga-integriteten--behovet-av-atgarder-mot-oskuldskontroller-oskuldssintyg-och-oskuldssingrepp-samt-omvandelseforsok-sou-202337.pdf>

⁵⁰ See definitions of hate speech and hate crime in [ECRI's Glossary](#).

⁵¹ Chapter 16, Section 8.

⁵² See Hate crimes reported to the Police in 2022, page 10, available at

https://bra.se/download/18.1537f1c6192bd251bfc3daa/1730206186687/2023_16_Hate-crimes-reported-to-the-police-in-2022.pdf

⁵³ En studie i fördom – om racistiska stereotypen i digitala miljöer, available at <https://www.foi.se/rest-api/report/FOI-R--5352--SE>

⁵⁴ For further details, see Bråa report available at [Kraftig ökning av antalet anmälda antisemitiska hatbrott hösten 2023 - Brottsförebyggande rådet \(bra.se\)](#) (in Swedish language)

and in society at large. The study entitled “Antisemitic attitudes and ideas in Sweden” shows that 5% of the population still harboured strong antisemitic attitudes in 2020.⁵⁵ ECRI was further informed of a recent survey, conducted after 7 October 2023 among members of the Jewish congregations in Sweden, suggesting that almost half of the respondents have considered emigrating due to antisemitism.⁵⁶ Moreover, a 2021 report by the City of Malmö on “School playground racism, conspiracy theories and exclusion”,⁵⁷ as well as a 2021 report by the Ombudsman on the subjection of children and youths to racism⁵⁸ show that antisemitism and other forms of racism form part of the daily lives of children and youths, especially at schools and online, making them feel unsafe in these environments. ECRI also notes that teachers met by the ECRI delegation considered that they lacked knowledge of tools to combat antisemitism in schools. Reference is made in this context to the relevant recommendation made in the section I.B. of the present report.

37. On a more positive note, the Swedish Holocaust Museum was established in July 2022 and a Parliamentary committee was appointed in October 2021 to discuss and conclude on whether Holocaust denial should be criminalised in Sweden.⁵⁹ This resulted in amendments to that effect to the Criminal Code and the Freedom of the Press Act, which were adopted on 22 May 2024. The amendments to the Criminal Code entered into force on 1 July 2024 and the amendments to the Freedom of the Press Act will enter into force on 1 January 2027.⁶⁰
38. Anti-Muslim hate crimes increased slightly between 7 October and 31 December 2023 compared with the corresponding time the year before, with 62 registered incidents in this period in 2023 against 50 in 2022. By contrast, the share of the reported anti-Muslim hate crimes that took place in a digital environment⁶¹, thus generally hate speech, in the Autumn of 2023, was at 40%, which was significantly higher than in the same period in 2022, when this share was only 8 %.⁶² When it comes to anti-Muslim hate speech earlier, the most common forms, according to a Brå report published in 2021, are threats, agitation against a population group and hostile graffiti. It also emerges from the Brå report that the political and other public discourse contribute to the “racialisation” of Muslims⁶³ and that more research should be conducted into anti-Muslim racism in Sweden. ECRI invites the authorities to encourage and support research projects on anti-Muslim hatred in Sweden, in the light of its General Policy Recommendation No. 5 (revised) on preventing and combating anti-Muslim racism and discrimination.

⁵⁵ See <https://www.levandehistoria.se/wp-content/uploads/2022/12/Summary-of-Antisemitism-in-Sweden-A-comparison-of-attitudes-and-ideas-in-2005-and-2020.pdf>

⁵⁶ The survey results available in Swedish language.

⁵⁷ Original title: “Skolgårdsracism, konspirationsteorier och utanförskap”, see: <https://archive.jpr.org.uk/download?id=10668>

⁵⁸ Original title: “Om barns och ungas utsatthet för racism”, see: https://www.barnombudsmannen.se/globalassets/dokument/publikationer/om-barns-och-ungas-utsatthet-for-rasism_2021.pdf

⁵⁹ See [Kriminalisering av förnekande av Förintelsen och av vissa andra brott - Regeringen.se](#) (in Swedish language). This was linked to an EU infringement procedure against Sweden for failing to completely and correctly transpose the EU’s Framework Decision on combating certain forms and expressions of racism and Xenophobia by means of criminal law. See [Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law | European Commission \(europa.eu\)](#)

⁶⁰ As the Freedom of Press Act is a so-called fundamental law, two consecutive elected parliaments need to adopt the amendments for them to enter into force.

⁶¹ The majority of these in social media or in chat fora on the internet.

⁶² For further details, see Bråa report available at [Polisanmälda hattbrott med islamofobiska motiv under hösten 2023 - Brottsförebyggande rådet \(bra.se\)](#)

⁶³ 2021 Brå report 2021:3 on Islamophobic hate crime (original title: Islamophobic hate crime), page 8, available at [Islamophobic hate crime. Summary of report 2021:3](#) See, in this connection, see ECRI’s 2021 opinion on the concept of “racialisation”.

39. ECRI also notes that there have reportedly been dozens of incidents with a Quran being desecrated in public between 2019 and 2023,⁶⁴ some of which were not only seen as gratuitously offensive and profane, but also as a manifestation of hatred against Muslims as a community. Several cases involving allegations of agitation against a population group where the conduct, among other things, included the burning of the Quran in public, have been prosecuted and brought to court. Some of these cases have already been the subject of court decisions. For example, in October 2023, the Linköping District Court convicted a person for agitation against a population group in relation to the burning of a Quran in public.⁶⁵ The court in question established that the defendant had inter alia burned a Quran together with pork and then left the Quran outside a mosque. The defendant had also filmed the sequence of events and spread it online with the use of music played during a terror attack on a mosque in New Zealand. The defendant challenged the court sentence to the Göta Court of Appeal, which upheld the initial court sentence in March 2024. Further, on 7 August 2024, a Danish-Swedish far right activist⁶⁶ known for having burned a Quran multiple times in public was charged by the Swedish Prosecution Service for agitation against a population group, in relation to events in April and September 2022 in Malmö, at which he made hateful comments directed at Muslim, Arab and African people.⁶⁷ ECRI was informed that, in November 2024, the defendant was convicted for agitation against a population group by the Malmö District Court and that he decided to appeal the court judgment.
40. In September 2024, the Chairman of the Swedish Parliament's Justice Committee was formally subjected to a preliminary investigation for agitation against a population group, after he had re-published two posts showing cartoons depicting Pakistani and Muslim immigrants as criminal offenders on a social media platform.⁶⁸ However, after he had been interviewed by the police, the preliminary investigation was discontinued, reportedly on the ground that, after consideration of his intent and role and status, his act could be deemed public discourse that do not reach the threshold of a criminal offence.⁶⁹
41. Apart from hate crimes based on general racist, including xenophobic, motives, Black persons and people of African descent are considered as the most common victims of reported hate crimes. Hate speech in the form of threats and other verbal attacks constitutes 60% of reported hate incidents against this group.⁷⁰ Some attacks targeted individuals while others were directed at people of African descent as a group, through hateful graffiti or entries in internet fora, for instance.
42. According to the 2023 annual review by ILGA-Europe, anti-LGBTI statements remained common in this year, many made by politicians, notably of the Sweden Democrats party. On a positive note, the Prime Minister is reported to have engaged in counter-speech on such occasions. During the Stockholm Pride in August, he also displayed the rainbow flag at his official residence⁷¹ and also hosted a Pride cocktail party.

⁶⁴ See, for example, <https://www.tandfonline.com/doi/epdf/10.1080/07256868.2024.2404584?needAccess=true>, page 9

⁶⁵ See [Man burned Quran and bacon - guilty of hate crime - Radio Sweden | Sveriges Radio](#)

⁶⁶ Mr Paludan is also leader of the Danish Stram kurs political party. Also see [Danish-Swedish far-right leader denied entry to UK to burn Qur'an | The far right | The Guardian](#)

⁶⁷ See [En person åtalad för hets mot folkgrupp i Malmö | Åklagarmyndigheten \(tt.se\)](#) (in Swedish language) and [Danish far-right extremist charged over Quran burnings - POLITICO](#)

⁶⁸ See [Richard Jomshof efter förhöret - är formellt misstänkt \(aftenbladet.se\)](#) (in Swedish language with cartoons in English).

⁶⁹ See [Richard Jomshof, SD, har inte gjort sig skyldig till hets mot folkgrupp - frias från misstankar - DN.se](#) (in Swedish language); [Förundersökningen mot Richard Jomshof \(SD\) läggs ner | SVT Nyheter](#) (in Swedish language).

⁷⁰ Report by Swedish National Council for Crime Prevention (Brå), page 7 available at: https://bra.se/download/18.366598ab19270941a1c18a2/1728991244993/2022_11_Afrofobiska-hatbrott.pdf

⁷¹ See [Prideflaggan pryder Sagerska huset under årets Pridevecka - Regeringen.se](#)

43. Finally, it clearly emerged from the ECRI's findings during the 2024 visit to Sweden that equating migration with criminality has become even more common in political discourse since the Tidö-agreement was concluded. For example, the Prime Minister in a speech to the nation in September 2023 about Government measures against gang criminality in Sweden stated that foreigners who are present in criminal gangs shall be expelled even if they have not yet been convicted of any crimes. He further stated that the current widespread gang criminality had been caused by an irresponsible immigration policy and failed integration policy.⁷² ECRI notes with concern that equating migration and ethnicity with criminality risks to further expose people with a migration or minority ethnic background to hate speech and hate crime.
44. ECRI recommends that public figures, such as high-level officials and politicians are strongly encouraged to take a prompt, firm and public stance against racist, and LGBTI-phobic hate speech and react to any such expression with strong counter-hate speech messages and alternative speech, as well as promote understanding between communities, including by expressing solidarity with those targeted by hate speech. In this context, ECRI refers to its General Policy Recommendation No. 15 on combating hate speech, Recommendation CM/Rec (2022)16 of the Committee of Ministers of the Council of Europe on combating hate speech and the Charter of European political parties for a non-racist and inclusive society as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).
45. In its 2018 concluding observations on Sweden, the United Nations Committee on the Elimination of Racial Discrimination (CERD) expressed concern that Sweden continued to "allow the formation of organisations that promote and incite racial hatred". An all-party Committee was subsequently appointed to consider a prohibition of racist organisations through new criminal legislation. It proposed that two new offences be introduced in the criminal legislation, namely organised racism and support for organised racism. It also proposed a specific scale of penalties for gross cases of organised racism. ECRI was informed that the report was circulated for consultation⁷³ and feedback was being analysed by the Government, which, supported by a parliamentary *ad hoc* committee, was also examining further avenues to limit or prohibit the activities of racist organisations.⁷⁴ ECRI invites the authorities to consider seriously such action at legislative level, having due regard to its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.
46. As regards media regulation, the Broadcasting Commission, which forms part of the Swedish Agency for the Media⁷⁵ and operates as prescribed by the Law on Radio and TV⁷⁶, may apply a "special impact" provision to programmes or scenes that may be perceived as discriminatory, which means that a broadcaster may not broadcast programmes or scenes that are clearly offensive to people on the basis of their skin colour, ethnicity, religion or sexual orientation.⁷⁷ Public service broadcasters are also obliged to be impartial. The consequence for a broadcaster violating the law or licence conditions is that it has to publish the relevant decision of the Broadcasting Commission. As an example, this authority decided that the

⁷² See <https://www.government.se/speeches/2023/09/prime-minister-ulf-kristerssons-address-to-the-nation/>

⁷³ Sweden's 5 January 2023 submission to CERD, available at tinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FSWE%2F24-25&Lang=en

⁷⁴ See [Några frågor om grundläggande fri- och rättigheter - Regeringen.se](#) (in Swedish language).

⁷⁵ See [English - Mediemyndigheten](#)

⁷⁶ Available at [Radio- och tv-lag \(2010:696\) | Sveriges riksdag \(riksdagen.se\)](#) (in Swedish language).

⁷⁷ Compilations of decisions by the Press and Broadcasting authority explaining this praxis are published to help the broadcasters comply, see <https://mediemyndigheten.se/globalassets/dokument/publikationer/granskat-och-klart/granskat-och-klart---mediets-genomslagskraft-2019.pdf>.

Swedish national public television broadcaster (SVT) violated applicable rules about impartiality when in a debate programme for political party leaders held on 5 August 2022, a picture of two burning police buses were shown with the text “integration” inserted on the screen. The Broadcasting Commission deemed that the TV programme suggested that the riots during which the police vehicles were burned would be a direct consequence of shortcomings in efforts to integrate migrants. SVT did publish information about the decision of the Broadcasting Commission.⁷⁸

B. Hate-motivated violence

47. Brå collects hate crime data, which is published every second year.⁷⁹ As of 2022 it has furthermore become possible to insert details about specific hate motivations in the database. For 2022, Brå identified 2695⁸⁰ police reports with one or more identified hate crime motives in each report. About half of the reports with a registered hate motivation (53%) were classified as xenophobic or racist hate crimes, including 17 % of Afrophobic hate crimes, followed by hate crimes against a religious group (16%),⁸¹ while 12 % of the hate crimes had been committed with a LGBTI-phobic hate motivation.⁸²
48. According to the data received by the Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Co-operation in Europe, there were 3150 hate crimes recorded by the police in 2020, out of which 334 were prosecuted. The corresponding numbers in 2018 were 5858 and 214. The Swedish authorities refer to a significant decrease of reported hate crime between 2018 and 2022, the reasons for which are not known to the Swedish authorities. The overwhelmingly most frequent hate crime motivation was racism and xenophobia in both 2018 and 2020.
49. In the 2021 Brå report about Islamophobic hate crimes,⁸³ it is noted that anti-Muslim hate crimes take many different forms and are not confined to any particular place, time or person. Nonetheless, some Muslims are particularly affected, in particular women and men wearing clothing perceived to be Muslim.⁸⁴
50. Furthermore, it also appears that repeated acts of vandalism against Mosques and other Muslim facilities may lead to excessively high insurance costs for such buildings, which are considered at risk.⁸⁵ There is an ongoing political discussion as to whether there should be state guarantees or other forms of financial support for insurances taken out by religious associations, a proposal⁸⁶ which ECRI welcomes.⁸⁷

⁷⁸ See [SVT:s Agenda fällt av granskningsnämnden för partiledardebatten | SVT Nyheter](#) (in Swedish language).

⁷⁹ However, the methodology for the data collection changed in 2020, which means that the statistics from this year onwards are not comparable with the ones of previous years, a fact that should be borne in mind when reviewing the figures reported in paragraph 48.

⁸⁰ It should be noted that since some reports contained more than one hate motivation, the total number of hate motivations registered in the reports was 2834.

⁸¹ Among these hate crimes, 8% were classified as Islamophobic (most being classified as harassment), 4% as antisemitic (the majority being classified as agitation against an ethnic group), 3% as “other hate crimes against religious groups” and 1 % as Christophobic.

⁸² See [Hatbrottsstatistik - Brottsförebyggande rådet \(bra.se\)](#) (in Swedish language).

⁸³ Original title Islamofobiska hatbrott, available at [Islamophobic hate crime. Summary of report 2021:3](#)

⁸⁴ Paragraph 95 of Sweden's submission of 5 January 2023 to CERD, available at [tinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FSWE%2F24-25&Lang=en](#)

⁸⁵ See 2021 Brå report 2021:3 on Islamophobic hate crime (original title: Islamophobic hate crime), page 10, available at [https://bra.se/download/18.5e0f78b192bd39b2322a34/1730099438562/2021_3_Islamofobisk_hate_crime.pdf](#)

⁸⁶ There is a motion by a Member of Parliament, proposing the introduction of State guarantees or support for these insurances, but the Parliament as a whole has not taken a position on the motion.

⁸⁷ See [Statligt försäkringsskydd till utsatta trossamfund \(Motion 2023/24:944 av Dzenan Cisić \(S\)\) | Sveriges riksdag \(riksdagen.se\)](#)

51. In its 2019 report on antisemitic crime, the National Council for Crime Prevention refers to antisemitic incidents in schools, workplaces, public places and online, which make Jews feel unsafe and limits their participation in societal life.⁸⁸
52. Hate crimes against Black persons and people of African descent are generally characterised by a high occurrence of physical violence. The victims are reportedly often young, many of them children.⁸⁹ The inquiry made by Brå also shows that victims' trust in the criminal justice system, in particular in the police, is low. Lack of trust in the criminal justice system is further fuelled by a low clearance rate of these types of hate crime. Hence, as confirmed by civil society interlocutors during the 2024 visit to Sweden, there is significant underreporting of hate crimes against Black persons and people of African descent.
53. ECRI recommends that the authorities develop frameworks for dialogue and co-operation between law enforcement and members of Black communities and people of African descent, in view of building trust and encouraging members of these communities to come forward and report hate crimes against them when they occur.
54. It should be noted that while the police identifies hate incidents and hate crimes, the systems used by police and prosecution services for registering them are separate and not necessarily consistent. Further, the courts are not obligated to specify in the verdict whether penalty enhancement due to a hate motivation was considered.
55. Hate-motivated violence against a protected group is covered by several criminal provisions, including assault, with the hate motivation considered an aggravating circumstance.⁹⁰ However, there are very few court sentences which refer to hate motivation as an aggravating circumstance.⁹¹
56. ECRI recommends that anonymised and disaggregated data be systematically and consistently collected and analysed by the Swedish criminal justice authorities during the lifecycle of a hate crime, from the point of reporting and recording to prosecution, sentencing and post-conviction support and diversion measures. In doing so, the authorities should take inspiration of the Committee of Ministers' Recommendation CM/Rec(2024)4 on combating hate crime. If necessary, Council of Europe support should be sought.
57. In three of the seven police regions (Stockholm, Gothenburg and Malmö), specialised police hate crime teams have been established.⁹² They are not only tasked with probing hate crime incidents but also play a crucial role in providing training to other police officers, trying to ensure a consistent and informed approach to such crimes across the country. Further, there are specialised hate

⁸⁸ See summary in English at https://bra.se/download/18.3808406a192bd2f0b724059/1730283446553/2019_4_Antisemitic_hate_crime.pdf or original in Swedish at [Antisemitiska hatbrott](#)

⁸⁹ Report by Swedish National Council for Crime Prevention (Brå), page 7 available at: <https://bra.se/publikationer/arkiv/publikationer/2022-11-24-afrofobiska-hatbrott.html#:~:text=Afrofobi%20%C3%A4r%20det%20vanligaste%20motivet.en%20h%C3%B6g%20f%C3%B6rekomst%20av%20v%C3%A5ld.>

⁹⁰ According to Chapter 29, Section 2 of the Swedish Criminal Code, a court must, when assessing penalty value, take into consideration whether a motive for a committed offence was to insult a person or a population group on the grounds of race, colour, national or ethnic origin, religious belief, sexual orientation or transgender identity or expression, or another similar circumstance.

⁹¹ 2021 Brå report 2021:3 on Islamophobic hate crime (original title: Islamophobic hate crime), page 11, available at https://bra.se/download/18.5e0f78b192bd39b2322a34/1730099438562/2021_3_Islamophobic_hate_crime.pdf

⁹² CERD in its 2018 concluding observations on Sweden welcomes the establishment of these specialised hate crime teams. However, CERD regretted that they do not exist throughout the country. See 6 June 2018 CERD concluding observations on the combined twenty-second and twenty-third period reports of Sweden page 2, available at <https://www.ohchr.org/en/documents/concluding-observations/cerdcsweco22-23-committee-elimination-racial-discrimination>

crime investigators in all seven police regions.⁹³ The Swedish Police organises training sessions for local police officers to improve their response to hate crimes, including the handling of cases concerning LGBTI victims of hate crime.⁹⁴ Under the Bergslagen Mentoring Project, further initiatives for police officers are implemented at regional and national levels, enhancing their capacity to address hate crimes against LGBTI individuals.

58. ECRI appreciates the efforts that have already been made to increase the capacity of police officers to investigate hate crimes against LGBTI persons. However, it notes that in the opinion of civil society interlocutors, the police's skills in investigating hate crimes involving LGBTI victims are less developed, which may also be linked to an insufficient understanding of the needs and realities experienced by LGBTI victims. ECRI encourages the authorities to enhance further police officers' capacity to investigate hate crimes against LGBTI individuals, including by reviewing relevant protocols and standard operating procedures and by issuing relevant guidelines.
59. In 2022, the Prosecutor General issued new guidelines emphasising the need for thorough investigation and prioritisation of crimes potentially motivated by hate. Basic training for all prosecutors includes a dedicated section on hate crimes, and each public prosecution office has a specialised prosecutor for handling such cases. There are between 40 and 45 prosecutors in Sweden who are specialised in dealing with hate crime. They meet once a year to exchange experiences. The Swedish Prosecution Service also organises conferences and webinars focusing on hate crimes, including motives behind such crimes, helping prosecutors to better handle hate crime cases.
60. The Swedish Judicial Training Academy provides training for judges and legal court staff. Such training includes discussions on sentencing in hate crime cases.
61. In December 2016, the Government launched an Action Plan to combat racism and, similar forms of hostility and hate crime. The Action Plan, which was still in force at the time of the April 2024 visit to Sweden, provides a framework for more specific actions against hatred towards specific religious or ethnic groups. In its fifth report, ECRI recommended that clear indicators and targets be added to this action plan.⁹⁵ In July 2022, the Government presented five action programmes, linked to the overall Action Plan, with general measures to combat hate against five different ethnic or religious groups,⁹⁶ namely Jews, Sami, Muslims, people of African origin and Roma. These five recent action programmes thus contain institutional responsibilities, and in some instances earmarked funding, for working against, respectively, antisemitism,⁹⁷ racism against Sami,⁹⁸ Islamophobia,⁹⁹ Afrophobia¹⁰⁰ and antigypsyism.¹⁰¹
62. During its 2024 visit in Sweden, the ECRI delegation was told that a new action plan against racism and hate crime was under preparation¹⁰² and that group-specific action programmes would be integrated into the overall action plan. ECRI

⁹³ See [National frameworks to address hate crime in Sweden | HCRW \(osce.org\)](#)

⁹⁴ In 2021, the Police (Anti-Democracy and Hate Crimes Group South) co-ordinated with the City of Malmö and Malmö Pride to engage with the public to strengthen understanding about hate crime and how to report such crimes to the authorities. As part of the project, police staff were trained on LGBTI and hate crime issues.

⁹⁵ See [ECRI's fifth report on Sweden](#), paragraph 42.

⁹⁶ See: [Measures against racism, similar forms of hostility and hate crime - Government.se](#)

⁹⁷ <https://www.government.se/information-material/2023/02/action-programme-to-combat-antisemitism/>

⁹⁸ <https://www.government.se/information-material/2023/02/action-programme-to-combat-racism-against-sami/>

⁹⁹ <https://www.government.se/information-material/2023/02/action-programme-to-combat-islamophobia/>

¹⁰⁰ <https://www.government.se/information-material/2023/02/action-programme-to-combat-afrophobia/>

¹⁰¹ <https://www.government.se/information-material/2023/02/action-programme-to-combat-antigypsyism/>

¹⁰² See [Regeringen tar fram handlingsplan mot rasism och hatbrott | SVT Nyheter](#) (in Swedish language).

strongly encourages the Swedish authorities to prepare the new action plan against racism and hate crime in a timely manner, in close consultation with the DO and relevant civil society actors, with a particular emphasis being placed on specific forms of racism such as antisemitism, anti-Muslim racism, racism against people of African or Arabic descent, people with a migration background, antigypsyism and anti-Sami racism, including clear success indicators and ensuring sustainable and sufficient financial resources for its effective implementation.

III. INTEGRATION AND INCLUSION

A. Migrants

63. According to November 2023 data,¹⁰³ Sweden has a population of over 10,5 million, out of which over 20% were born abroad.¹⁰⁴ In the period January-May 2024, for the first time in decades, the number of people leaving Sweden was higher than that of new arrivals in the country, not the least as a result of a significantly decreased number of asylum applications. The Government explains the net reduction in the foreign-born population resident in Sweden with its more restrictive migration policies.¹⁰⁵
64. In December 2023, the Government appointed a committee of inquiry¹⁰⁶ to amend civic orientation requirements for newly arrived immigrants. The results of the inquiry are to be reported to the Government no later than 30 April 2025, with proposals for changes in the civic orientation, with the aim of making it mandatory, establishing a national curriculum with increased focus on fundamental values of Swedish society (such as democracy and gender equality) and a test.
65. Different government levels have different responsibilities for integration measures for immigrants. The Ministry of Employment holds overall responsibility, with 21 county administrative boards being responsible for regional co-ordination of national measures. The 290 municipalities of Sweden are responsible for the settlement of immigrants,¹⁰⁷ providing them with Swedish language and civic orientation courses,¹⁰⁸ adult education,¹⁰⁹ as well as places in pre-schools and schools.
66. The Public Employment Service offers an introduction programme¹¹⁰ to 20-65 year-old newly arrived immigrants who have recently received a residence permit as a refugee or are beneficiaries of subsidiary protection. It is also offered to their family members. The introduction programme consists of individually tailored activities and support to facilitate social and labour market integration. An inquiry assessing

¹⁰³ [Population statistics \(scb.se\)](https://scb.se)

¹⁰⁴ 2022 data, available at [Summary of population statistics 1960-2023](#)

¹⁰⁵ See [People leaving Sweden will exceed immigrants in 2024 – DW – 08/18/2024](#)

¹⁰⁶ See [En förbättrad samhällsorientering för nyanlända - Regeringen.se](#) (in Swedish language).

¹⁰⁷ An inquiry into a new system of settlement of newly arrived immigrants was appointed in mid-February 2024. The Settlement Act (2016:38), which makes it mandatory for all municipalities to settle newly arrived immigrants will eventually be abolished and replaced by a model with greater municipal influence. Under the present 2016 Settlement Act, allocation of immigrants between the municipalities is decided based on local labour market conditions, population size and the overall number of newly arrived immigrants, unaccompanied minors and asylum seekers already living in the municipality.

¹⁰⁸ Civic orientation is funded by the state and offered by the municipalities to most newly arrived migrants holding a residence permit. The course is 100 hours.

¹⁰⁹ Swedish for Immigrants (SFI) is a language course in Swedish provided for free within the municipal adult education system (Komvux). The purpose of SFI is to give adult immigrants basic Swedish language skills. A person with a residence permit, who is registered in a Swedish municipality and who does not know Swedish, is entitled to SFI from the second part of the year in which the person turns 16. For those who qualify, the municipality is obliged to offer SFI and the individual should be able to start the course within three months after the person has been registered as resident in the municipality. The education is free of charge for the individual and funded by the state and municipality. Every enrolled student receives at least 15 hours of education per week.

¹¹⁰ See [Etableringsprogrammet - Arbetsförmedlingen \(arbetsformedlingen.se\)](#)

the introduction programme is ongoing, with the aim of improving it further, notably by putting more emphasis on support to foreign-born women.

67. The Tidö-agreement includes alarming proposals that would require asylum seekers to pay for their own reception,¹¹¹ including health care with the exception of dental care, and that would raise the requirements for obtaining a residence permit, and reduce the socio-economic support for migrants.¹¹² Reference is made to ECRI's recommendation in paragraph 84.

Education

68. Since July 2022, there is new legislation that aims to increase the proportion of children who participate in pre-school education. The regulations are particularly aimed at children with a need for language development in the Swedish language. Municipalities are required to contact guardians with children who do not attend pre-school and inform them about the benefits of pre-school and the right to attend. Municipalities must also provide a reserved pre-school place for children who need language development activities, for example children who have lived in Sweden for a short time. During its 2024 visit, the ECRI delegation was informed by the authorities that this drive to increase pre-school attendance has already brought fruit in terms of higher preschool attendance by the children concerned, which will presumably facilitate their inclusion in mainstream education in primary school.¹¹³
69. Since 2016, the concept of "newly arrived students" is defined in the Education Act as students who have just moved to Sweden from another country and are 7 to 18 years old. A newly arrived student's previously acquired knowledge is subject to an evaluation,¹¹⁴ unless such an evaluation is manifestly unnecessary. For up to four years, they may be entitled to special support to enable them to properly follow the teaching in schools. They may study some subjects, but not all, in a preparatory class¹¹⁵ for up to two years, aimed at preparing them for following all subjects in a regular class. For a migrant student who is commencing secondary school, an individual study plan must be agreed on within two years of arrival. Migrant students that attend secondary school are entitled to individual coaching carried out in their native language. While the authorities admit that it is difficult to find school staff for all schools to provide native tongue coaching in all of the broad range of languages spoken by pupils in Swedish schools, ECRI considers this offer of native tongue coaching a **good practice**.
70. According to Statistics Sweden (2022), the proportion of people with a post-secondary education is about the same among those born in Sweden (48%) and those born in another country (43%). The same is true for highly educated people, with at least a three-year post-secondary education (31% compared to 29%). As to drop-out rates in upper secondary schools, statistics show that during the three years of education, immigrant students drop out more often than native students; in the first year 2.1% compared to 1.7% Swedish native students, in the second year 3.5% compared to 1.8% Swedish native students and in the third year 9.9%

¹¹¹ According to information provided by the authorities in January 2025, a public inquiry was commissioned to consider whether it is possible to require asylum seekers to cover or otherwise contribute to the costs of material reception conditions to a greater extent. The results of this inquiry were presented in a final report in October 2024 (SOU 2024:68), and it does not contain any proposals that require all asylum seekers to pay for their entire reception. At the same time, there is a proposal that asylum seekers with their own means should contribute to healthcare costs to a greater extent, namely by paying the same patient fees as residents in Sweden.

¹¹² Civil Rights Defenders' 12 December 2023 report "One year with the Tidö Agreement – as a whole, it is worrying", page 7. Available at https://crd.org/wp-content/uploads/2023/12/Tidogranskning_final_ENG.pdf

¹¹³ There are no statistics on migrant children's results in preschool. In compulsory school, 57.3 % of the children who immigrated to Sweden after 2013 became eligible for further studies (girls 59.7 % and boys 55.1 %). In upper secondary school, 21.3 % of the young people who recently immigrated to Sweden completed their education (girls 24.2 %, boys 19.0 %).

¹¹⁴ Chapter 3, Section 12 c of the Education Act, available at [Skollag \(2010:800\) | Sveriges riksdag \(riksdagen.se\)](https://www.riksdagen.se/sv/dokument-lag/dokument-rikspolis/Skollag_2010800/Sveriges-riksdag_riksdagen.se) (in Swedish language)

¹¹⁵ Chapter 3, Section 12 f of the Education Act.

compared to 5.1% Swedish native students.¹¹⁶ ECRI sees these figures as overall indicative of successful education of immigrants.

Employment

71. The Swedish Agency for Government Employers¹¹⁷ estimates that 22,3% of the Government employees in 2022 were with an immigrant background, which is a sharp rise from 10,6 % in 2002.¹¹⁸ In Malmö, some 44 % of public administration employees have an immigrant background, even though the percentage is lower at managerial level, at about 23 %. According to several interlocutors met during the 2024 visit to Sweden, the share on the national level is likely to decrease as a result of Government initiatives to introduce security clearance tests that would allow to reject recruitments of candidates with “attachments to antagonistic countries”, which could include candidates’ relatives. Similarly, in combination with the number of public sector positions classified as sensitive growing rapidly, the share of people with an immigrant background in public service is expected to decline further. ECRI invites the authorities to adopt any such measures with great caution whilst developing policies aimed at ensuring that the composition of Government employers and other staff working in the public sector further reflect the diversity of the population.
72. The employment rate among Sweden's foreign-born population increased slowly from 2011 to 2019, but fell in 2020 after the outbreak of Covid-19, reaching 60.6% in 2021. After the peak of the pandemic, this increased to 67.1% in 2023. Simultaneously, the unemployment rate among them increased, nearly reaching 20% in 2021 after being around 15% in the years before the pandemic. It then fell to pre-pandemic levels in 2022, and reached 15.1% by 2023. By comparison, the overall employment rate in Sweden was 69.4% in 2023, making it 2,3% higher than among the foreign-born population.¹¹⁹ Seasonally adjusted unemployment statistics show that 4.6 % among those born in Sweden are unemployed, compared with 20 % among those born abroad.¹²⁰
73. Research conducted and the experiences gathered by the DO show that people with Arab- or Muslim-sounding names, especially men, have to apply for vacancies between two and four times more than applicants with Swedish-sounding names to get a response to their application, even if they were born in Sweden and have better qualifications. As regards public sector employment in particular, Muslim civil society representatives met by the ECRI delegation during its visit to Sweden referred to increasingly stringent background checks for Muslim applicants, which makes it even more challenging for them to secure employment. Similarly, stating an address in a socio-economically weaker district, often predominantly inhabited by people with a migration background, is detrimental to the chances of getting a response from employers.
74. On a positive note, ECRI notes that there are public subsidies for employers to hire individuals who are disadvantaged in the labour market by means of labour market entry agreements.¹²¹ Apart from long-term unemployed, newly arrived immigrants are included in this group.

¹¹⁶ Replies by the Swedish Government to ECRI's sixth evaluation cycle questionnaire.

¹¹⁷ [In English \(arbetsgivarverket.se\)](https://arbetsgivarverket.se)

¹¹⁸ See agency reports at: [Staten i siffror: anställda i staten \(arbetsgivarverket.se\)](https://staten-i-siffror.anstallda-i-staten.arbetsgivarverket.se)

¹¹⁹ See <https://www.statista.com/statistics/528421/sweden-foreign-born-population-by-employment-status/>.

¹²⁰ Source: Swedish Statistics, available at [Stora skillnader i arbetslöshet mellan utrikes och inrikes födda \(scb.se\)](https://scb.se/stora-skillnader-i-arbetsloshet-mellan-utrikes-och-inrikes-fodda)

¹²¹ In November 2022, the [Swedish Trade Union Confederation](https://www.sveriges.se), the [trade Union Unionen](https://www.sveriges.se) and the [Confederation of Swedish Enterprise](https://www.sveriges.se) signed an agreement about entry agreements, see [Etableringsjobb - Arbetsförmedlingen \(arbetsformedlingen.se\)](https://www.sveriges.se)

Housing

75. Research suggests that barriers in the housing market have overall increased in Sweden for people with Arabic- or Muslim-sounding names.¹²²

Healthcare

76. ECRI was made aware of allegations of discrimination based on ethnicity in healthcare in Sweden. In a case concerning a foreign national suffering cerebral haemorrhage and not receiving appropriate care by ambulance personnel and subsequently in hospital, the Gothenburg District Court in 2019 considered it as proven that the patient's ethnicity played a role in the inadequate treatment he received, which led to his death. The ambulance personnel had made notes in the ambulance journal such as "cultural fainting?".¹²³
77. Seeking health care services in Sweden requires well developed digital and Swedish language skills, as symptoms need to be accurately described online. This hinders effective access to healthcare, especially for migrants. ECRI encourages the Swedish authorities to ensure that appropriate interpretation services are available within the healthcare system throughout the country and to promote availability of information about access to healthcare in multiple languages, including on websites for making medical appointments and by developing online applications for translation of central terminology related to health.

Family reunification

78. The requirements for family reunification vary in some respects depending on the residence status of the sponsor. If the sponsor holds a temporary residence permit as a refugee, or on the basis of subsidiary protection, it is required that the sponsor has reasonable prospects of obtaining the right of permanent residence for family reunification to be granted. In most cases concerning family reunification, the sponsors must show sufficient income to maintain themselves and any person being sponsored, as well as accommodation of a sufficient size and standard. Some situations are exempted from the maintenance requirement, for example, if the sponsor is a refugee.¹²⁴
79. It should be noted that amendments to the Alien's Act in November 2023, applicable as of 1 December 2023, tightened the criteria for family reunification.¹²⁵ For example, the age limit for family reunification between cohabiting partner was raised from 18 to 21, which means that both the person already living in Sweden and the person applying for a residence permit should as a rule be at least 21 years old. The income and housing requirements for the sponsor must be considered as high. For example, for a family with two parents and two children, at least about 1400 Euros is required in excess of accommodation costs.

Residence permits

80. As of November 2023, a higher income for immigrants coming to work in Sweden is required for obtaining a residence permit. The minimum required income was doubled, from 13 000 SEK to 28 480 SEK (about €2 480).¹²⁶ In 2023, 102 139

¹²² [Not for you! The cost of having a foreign-sounding name in the Swedish private housing market \(gu.se\)](#)

¹²³ See <https://www.equalitylaw.eu/downloads/5462-sweden-direct-discrimination-in-connection-with-emergency-health-care-84-kb>

¹²⁴ For refugees, the maintenance requirement would normally only apply if the application for a residence permit on reasons of family reunification was submitted more than three months after the sponsor was granted refugee status.

¹²⁵ More details about the amended legislation can be found on the website of the Swedish Migration Agency: [Amended rules for family reunification - Migrationsverket](#)

¹²⁶ See [Försörjningskravet för arbetskraftsinvandrare höjs - Regeringen.se](#) (in Swedish language).

residence permits were issued, out of which only 5 010 were permanent.¹²⁷ This was a significant decrease from about 142 000 residence permits granted in 2022, the main reasons for which was the reduced number of Ukrainians seeking protection in Sweden in 2023 and the decreased acceptance by Sweden of quota refugees. At the same time, the Migration Agency is making greater efforts to detect and revoke wrongfully granted temporary residence permits, resulting in about 11 000 being revoked in 2023, up from 4 800 in 2022.¹²⁸

81. The Tidö-agreement envisages fewer residence permits to be granted, and to move away from permanent residence permits altogether.¹²⁹ During the ECRI visit to Sweden, civil society representatives met by the delegation pointed out that removing permanent residence permits is likely to lead to increased mental health issues among immigrants and make it more difficult for them to receive health care.
82. One of the most worrying proposals in the Tidö-agreement in the context of residence is to investigate the possibility of deporting a foreign national for lack of so-called good conduct, which would include showing a lack of respect in relation to fundamental values of Swedish society.¹³⁰ In the view of ECRI, the lack of clarity as to what would constitute a lack of respect of these values is open to abuse.
83. According to the Swedish Government, failed integration efforts are to blame for gang violence and other negative phenomena recently observed in contemporary Swedish society.¹³¹ At the same time, in the light of the above findings, ECRI is concerned that various measures taken or being planned within the framework of the Tidö-agreement. For example, tightening conditions for family reunification, moving away from a policy of granting immigrants permanent residence permits and deporting any foreign national whose conduct is not considered appropriate, will not be conducive to more successful integration, but rather the opposite, as they are likely to increase the sense of marginalisation and exclusion.
84. ECRI recommends that the Swedish authorities review and develop policies aiming at improving the integration of foreign nationals residing in Sweden and refrain from any action, including at legislative level, which would lead to unjustified differential treatment of such persons. In this context, the authorities should seek inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level. If necessary, Council of Europe support should be sought.

Naturalisation

85. At present, verified identity, at least 18 years of age, a permanent residence permit, residence in Sweden for a certain period of time (the main rule being five years) and an "honourable way of life" are conditions for naturalisation in Sweden.¹³²
86. In recent years, there has been a large number of migrants granted citizenship, peaking at about 90 000 in 2022. In 2023, the number dropped to 67 789, while in

¹²⁷ See Migration Agency statistics available at <https://www.migrationsverket.se/download/18.356ea417185caa4f2263d6/1704369151775/Beviljade%20uppeh%C3%A5llstillst%C3%A5nd%202023.xlsx> (in Swedish language).

¹²⁸ See Migration Agency data at [Minskat antal uppehållstillstånd 2023 – Migrationsverket](#) (in Swedish language).

¹²⁹ See analysis of the Tidö-agreement by the Civil Rights Defenders, pages 6-7, available at https://crd.org/wp-content/uploads/2022/12/Analysis-of-the-Tido-Agreement_Civil-Rights-Defenders_221024.pdf

¹³⁰ Page 7 of the English version of the review.

¹³¹ See 28 November 2023 speech by the Prime Minister to the nation, available at <https://www.government.se/speeches/2023/09/prime-minister-ulf-kristerssons-address-to-the-nation/>

¹³² Even if the requirements are not met, an application may be granted if the applicant has previously been a Swedish citizen, the applicant is married or cohabiting with a Swedish citizen, or there are other special reasons.

the first quarter of 2024, the number of citizenships granted was 21 019.¹³³ Naturalisation and other decisions by the Migration Agency are lengthy.

87. As a result of the Tidö-agreement, in 2023, the Government appointed a committee of inquiry to propose, among other things, a requirement of self-sufficiency as well as a higher level of knowledge of Swedish culture as additional conditions for citizenship. The proposal foresees the entry into force of the additional requirements in 2027.¹³⁴ The committee will also examine the possibility of introducing a mandatory declaration of loyalty in a citizenship ceremony. ECRI trusts that the Swedish authorities will ensure compliance of any future additional requirements to obtain naturalisation with the European Convention on Nationality (ETS No. 166), to which Sweden is a Party.

B. Roma

88. The Swedish Parliament determined in 1999 that Roma are among the national minorities in Sweden. In this connection, ECRI also refers to the Fifth Opinion on Sweden published by the Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) in February 2024.¹³⁵
89. ECRI notes that an action programme against antigypsyism was adopted and published in 2022 as a complement to the action plan against racism, similar forms of hostility and hate crime.¹³⁶ However, it regrets that there are very few intended measures listed in this programme which would be specific to Roma.
90. ECRI was informed that a 2012-2032 Strategy for Roma inclusion¹³⁷ was under implementation. The Government has specifically earmarked SEK 20 million (about €1,76 million) for 2022–2024 for the implementation of the strategy, in addition to the ordinary funding for the general policy for minorities.
91. While acknowledging the commendable objectives of the strategy, civil society representatives met by the ECRI delegation during the 2024 visit do not consider its implementation effective so far and regretted that the strategy does not contain measurable targets, which makes it difficult to measure progress.
92. Roma in Sweden often encounter direct discrimination when accessing the labour market. Factors like the overall low education levels within the Roma community contribute to structural barriers to employment. Additionally, according to civil society reports, Roma often face prejudice that hampers their job prospects. This situation forces many Roma candidates for jobs to constantly navigate their identity, deciding whether to openly embrace their Roma heritage or adopt a more 'concealed' approach.¹³⁸ ECRI invites the authorities to take measures to encourage employers to counter antigypsyism more actively.

¹³³ See Migration Agency statistics available at [Statistik om ansökningar om svenskt medborgarskap - Migrationsverket](#) (in Swedish language).

¹³⁴ See page 29, [Det är helheten som oroar – ett år med Tidöavtalet - Civil Rights Defenders \(crd.org\)](#) (in Swedish language)

¹³⁵ For more details, see [ACFC: 2024](#). It should be noted that the Advisory Committee covers issues related to the expression of a separate identity, such as mother-tongue education, minority language media or minorities' participation in public and political life, which are not covered by ECRI. In its Opinion, the ACFC also examined the situation of other national minorities, including the Jewish and Sami national minorities. Analysing the situation from an inclusion perspective, ECRI limits itself here to assessing the situation of Roma from an inclusion perspective.

¹³⁶ Available at <https://www.regeringen.se/contentassets/13890f2e7d344692975d03035a2ce200/atgardsprogram-mot-antiziganism.pdf>

¹³⁷ Available at <https://www.regeringen.se/contentassets/4a3df6c115584782935d8d9efa7ab6e3/en-samordnad-och-langsigtig-strategi-for-romsk-inkludering-2012-2032-skr.-20111256> (in Swedish language)

¹³⁸ European Commission [Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Sweden](#) (2022) p. 21.

93. Pursuant to Government's decision Ku2022/00784,¹³⁹ the Stockholm County Administrative Board (responsible for co-ordinating and following up initiatives within the Strategy for Roma inclusion throughout Sweden) is to distribute central government grants to municipalities to promote Roma inclusion in accordance with the Roma Inclusion Ordinance (2022:259). A number of municipalities have adopted their own action plans or carry out other activities in support of Roma.
94. ECRI notes that there are commendable initiatives in some cities. During its visit to Sweden, the ECRI delegation went to the Roma Information and Knowledge Centre (RIKC) in Malmö, which works to increase the participation and influence of Roma in the city. The Centre operates under the Culture Department of the City of Malmö. In addition to RIKC, Malmö maintains a Municipality Advisory Council for the Roma minority, tasked with promoting Roma participation, work against discrimination against Roma, and promote the Roma language and culture. The third essential element of support provided to Roma in Malmö is the I.R.I.S. school, which is essentially an adult education "second chance" school for adult Roma who for one reason or the other failed school while in compulsory school age.¹⁴⁰ ECRI considers RIKC, the Advisory Council for Roma and the I.R.I.S. school as **good practices**.
95. The other centre supporting Roma inclusion in Sweden in a manner similar to that of RIKC is the *Romani Center i Väst*, located in Gothenburg. There is also a pre-school with a Roma profile in Gothenburg.¹⁴¹ Another praiseworthy initiative is the *Romska kvinnojour*,¹⁴² a shelter and support centre for Roma women based in Stockholm. The centre does not only offer shelter for Roma women from domestic violence, but also offers various forms of advice and support. Finally, Södertörn University has a government mission to conduct work to promote education in and about Romani Chib. It conducts research with and about Roma, and offers Romani studies,¹⁴³ which ECRI welcomes.
96. ECRI nevertheless learned that there are non-Swedish Roma and other citizens from Eastern EU countries living in very poor conditions and a legal limbo, without having proper access to essential services that they are entitled,¹⁴⁴ including healthcare. Their vulnerability has also been the subject of academic research.¹⁴⁵ In a collective complaint against Sweden (registered on 28 June 2023) to the European Committee of Social Rights, Amnesty International and Médecins du Monde claimed that EU migrants, including Roma citizens of other EU countries, are routinely denied necessary healthcare, have been billed the full amount for necessary healthcare, or have had to abstain from necessary healthcare out of fear for costs, in breach of the relevant provisions of the revised European Social Charter.
97. In the light of the above findings, ECRI considers that the authorities should carry out a careful review of the implementation of the Strategy for Roma inclusion, with a particular emphasis being placed on access to education, housing, employment and health care.

¹³⁹ The decision is available at <https://www.regeringen.se/contentassets/def2026cac0b4ef7acf4afeb988326ed/utgiftsomrade-1-rikets-styrelse.pdf>

¹⁴⁰ See [Internationella Romer i Samverkan, I.R.I.S.-skolan, Malmö | Vuxenutbildning | Utbildning \(minoritet.se\)](#) and [Iris-skolan firar 25 framgångsrika år - Minoritet.se](#) (both in Swedish language).

¹⁴¹ See [Förskolan Romano ILO - Hitta förskolor - Göteborgs Stad \(goteborg.se\)](#) (in Swedish language)

¹⁴² See [Rosita och kvinnojour](#) - [Minoritet.se](#) (in Swedish language).

¹⁴³ See [Critical Romani Studies - Södertörns högskola](#)

¹⁴⁴ See 2018 report by Amnesty International, available at [Sweden: A cold welcome: Human rights of Roma and other 'vulnerable EU citizens' at risk - Amnesty International](#)

¹⁴⁵ See doctoral theses from the University of Stockholm, entitled Homeless in 'The People's Home': Exploring the experiences of 'vulnerable EU citizens' in Stockholm, Sweden, available at [Homeless in 'The People's Home' : Exploring the experiences of 'vulnerable EU citizens' in Stockholm, Sweden \(diva-portal.org\)](#)

98. ECRI recommends that relevant data about the implementation of the 2012-2032 Strategy for Roma inclusion be periodically collected and analysed during the implementation of the Strategy, in consultation with civil society actors working in support of Roma, especially in the fields of education, housing, employment and health, while respecting principles of confidentiality, voluntary self-identification and informed consent, and, where appropriate, set clear targets and adapt any ongoing measures in support of Roma to maximise impact. Such data should cover the situation of non-Swedish Roma.

IV. TOPICS SPECIFIC TO SWEDEN

A. Countering racial profiling by law enforcement officials

99. Among current Government measures foreseen by the Tidö-agreement against gang violence was the preparation of new legislation on so-called “security zones”. Such legislation was developed and entered into force in April 2024.¹⁴⁶ The newly amended Police Act allows the police to declare any area considered as high risk of violent crime a “security zone”, for two weeks at a time, extendable, in which police officers can perform stop and search operations without any concrete suspicion against an individual.¹⁴⁷ The DO has formally objected to such legislation for entailing heightened risks of such stop and search operations being based on racial profiling.¹⁴⁸
100. In its 2018 concluding observations on Sweden, CERD remained concerned about reports of “frequent cases of police profiling of visible minorities”, as well as about reports according to which the Terrorism Act disproportionately targeted Muslims in the context of police activities.¹⁴⁹ The new legislation on “security zones” will not significantly expand police powers for stop and search actions beyond already existing ones,¹⁵⁰ except that the amended Police Act will reportedly make it easier for the police to carry out stop and search actions on children, which some police officers considered an advantage.¹⁵¹
101. ECRI is concerned about the introduction of the “security zones” and shares the DO’s assessment that there are greater risks for racial profiling in the application of the new legislation in the context of stop and search measures. ECRI is also concerned about the impact of such measures on children living in these zones.
102. ECRI recommends, as a matter of priority, that the authorities review police guidelines on interaction with the public and better regulate “stop and search” activities, with a particular emphasis on the treatment of children and young people. In doing so, the authorities should introduce an effective system of tracking identity checks/stop and search instances by law enforcement officials, in order to allow enhanced supervision and to maintain public trust for residents of so-called “security zones”.

¹⁴⁶ The content of the adopted proposal for these security zones can be found here: [Säkerhetszoner – ökade möjligheter för polisen att visitera för att förebygga brott - Regeringen.se](https://www.regeringen.se/pressmeddelanden/2023/03/sakerhetszoner-okade-mojligheter-for-polisen-att-visitera-for-att-forebygga-brott-regeringen-se) (in Swedish language). Media commentary to it are also available here: [Sweden's government to bring in stop-and-search zones in March \(thelocal.se\)](https://www.thelocal.se/news/sweden-government-to-bring-in-stop-and-search-zones-in-march) and <https://sverigesradio.se/artikel/government-wants-to-speed-up-introduction-of-stop-and-search-zones>.

¹⁴⁷ This amended Police Act, including Paragraph 22b, is available at [Polislag \(1984:387\) | Sveriges riksdag \(riksdagen.se\)](https://www.riksdagen.se/polislag-1984-387) (in Swedish language).

¹⁴⁸ See [Säkerhetszoner innebär oacceptabla risker för diskriminering | DO](https://www.sverigesradio.se/artikel/sakerhetszoner-innebär-oacceptabla-risker-for-diskriminering-do) (in Swedish language)

¹⁴⁹ 6 June 2018 CERD concluding observations on the combined twenty-second and twenty-third period reports of Sweden page 4, available at <https://www.ohchr.org/en/documents/concluding-observations/cerdcsweco22-23-committee-elimination-racial-discrimination>

¹⁵⁰ As enshrined in the Police Act, paragraph 19:2, available at [Polislag \(1984:387\) \(PolisL\) | Lagen.nu](https://www.lagen.nu/polislag-1984-387) (in Swedish language)

¹⁵¹ Commentary by the police in Swedish radio available at [Polisen om nya lagen: "Fördel att enklare kunna visitera minderåriga" - P4 Västernorrland | Sveriges Radio](https://www.sverigesradio.se/artikel/polisen-om-nya-lagen-fordel-att-enklare-kunna-visitera-minderariga-p4-vaesternorrland-sveriges-radio) (in Swedish language).

103. ECRI is aware of draft amendments to the Discrimination Act being under preparation, in line with the proposals in the inquiry published in 2021.¹⁵² The purpose of the draft amendments is to increase the accountability of public officials, including police officers in the context of stop and search measures. In the view of ECRI, the adoption of these amendments should be considered as a matter of urgency, especially in relation to the recently increased powers of the police to stop and search individuals in so-called “security zones”.

104. ECRI recommends to the Swedish authorities to speed up the preparation and presentation of a bill aimed at expanding protection of the Discrimination Act to cover actions by public officials, including police officers possibly engaging in racial profiling and other discriminatory practices.

B. Access to justice in discrimination cases

105. ECRI was informed of structural problems in discrimination victims’ pursuit of justice in courts. One of the main ones is that the costs risk for the complainant is high because of the risk of having to pay the legal costs of the defendant if the petitioner loses the case. This discourages many likely victims of discrimination to initiate litigation procedures.

106. On a positive note, there is a network of 18 local anti-discrimination offices,¹⁵³ funded by Government grants, which offer support to victims of discrimination, including legal representation. The DO organises annual co-ordination meetings for the local anti-discrimination offices. ECRI met representatives of two of these and was impressed by their professional knowledge and support provided to victims of discrimination. ECRI encourages the authorities to ensure sufficient funding for the continued and, where necessary, expanded activities of the anti-discrimination offices.

107. At the same time, if not represented by the DO or an anti-discrimination office, significant lawyer fees further increase the costs of the petitioner, especially as discrimination cases tend to be complicated, while compensation payments requested by petitioners and awarded by courts tend to be low, and in any event substantially lower than the cost of paying the court procedures and the defendant’s costs if the case is lost. The defendant, by contrast, tends to have a lower costs risk; if it is an employer or merchant, compensation payments constitute tax-deductible business expenses and if the defendant is a civil servant, the relevant administration pays all costs.¹⁵⁴

108. To reduce cost-related risks, complainants tend to ask for low compensation using the small claims procedure because the cost risk asking for higher compensation amounts in a more comprehensive procedure are considered too great. The limit for compensation in a small claims case is about €2 500. A court may decide to split the costs between the applicant and the defendant in cases where it does not find sufficient grounds for a decision against the defendant, but nonetheless reasonable grounds for the applicant’s complaint.¹⁵⁵ While rare, there have been

¹⁵² Available at: <https://www.regeringen.se/contentassets/f1154e89971b495585c05e3173b78568/ett-utokat-skydd-mot-diskriminering-sou-202194/> Also see paragraph 1 of the present report.

¹⁵³ See [Användbara länkar - Byrån mot diskriminering i Östergötland](#) (in Swedish and other languages).

¹⁵⁴ For more details, see 2023 country report on Sweden by the European Network of Legal Expert in gender equality and non-discrimination, page 11, available at <https://op.europa.eu/o/opportal-service/download-handler?identifier=1d8d032a-61a6-11ee-9220-01aa75ed71a1&format=pdf&language=en&productionSystem=cellar&part=>

¹⁵⁵ By way of illustration, in one such case (T2059-21), the Malmö anti-discrimination office lost both in the District Court and the Court of Appeal. However, based Chapter 6, Section 7 of the Discrimination Act, the Malmö and Blekinge Appeal Court considered that there had been reasonable grounds to have the dispute tried both in the District Court and in the Court of Appeal and that therefore the parties were to bear their own costs in both instances.

more such decisions under employment legislation than under the Anti-Discrimination Act.¹⁵⁶

109. ECRI notes that there are very few discrimination cases brought to court. Further, there is a relatively low number of court cases won by the complainants, despite the shifted burden of proof in discrimination cases. This low success rate concerns in particular cases of alleged discrimination on the ground of ethnicity.¹⁵⁷
110. ECRI recommends that the authorities review the relevant civil and administrative law provisions relevant to discrimination with a view to introducing more effective, proportionate and dissuasive sanctions, considering ways of improving the provision of legal aid to applicants in such cases and ensuring appropriate compensation for both material and moral damages to victims.

¹⁵⁶ In cases concerning discrimination on the labour market, Chapter 5, Section 2 of the Labour Disputes (Judicial Procedure) Act (1974:371) applies instead of the Discrimination Act. It reads as follows: "in cases processed under this Act, each of the parties may be ordered to pay its own litigation costs if the losing party had reasonable cause to have the dispute tried".

¹⁵⁷ See page 7, 8 and 9 of the report, available at <https://www.equalitylaw.eu/downloads/5939-sweden-country-report-non-discrimination-2023>

INTERIM FOLLOW-UP RECOMMENDATIONS

The two specific recommendations for which ECRI requests priority implementation from the authorities of Sweden are the following:

- (§ 15) ECRI recommends that the Swedish authorities reinvigorate the role of education as a tool to better live together in intercultural societies and understand societal issues linked to questions such as racial and LGBTI-phobic stereotypes as well as prejudices related to religions and beliefs, by raising awareness among teachers about existing tools developed for this purpose and by providing compulsory training to them in how to use such tools to promote tolerance and mutual respect in the classroom.
- (§ 102) ECRI recommends that the authorities review police guidelines on interaction with the public and better regulate “stop and search” activities, with a particular emphasis on the treatment of children and young people. In doing so, the authorities should introduce an effective system of tracking identity checks/stop and search instances by law enforcement officials, in order to allow enhanced supervision and to maintain public trust for residents of so-called “security zones”.

A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

LIST OF RECOMMENDATIONS

The position of the recommendations in the text of the report is shown in parentheses.

1. (§ 9) ECRI recommends that the authorities set up effective policies and mechanisms to prevent, monitor and respond to bullying, including online, in schools, as well as a system to monitor and deal with racist and anti-LGBTI incidents in schools.
2. (§ 15) ECRI recommends as a matter of priority that the Swedish authorities reinvigorate the role of education as a tool to better live together in intercultural societies and understand societal issues linked to questions such as racial and LGBTI-phobic stereotypes as well as prejudices related to religions and beliefs, by raising awareness among teachers about existing tools developed for this purpose and by providing compulsory training to them in how to use such tools to promote tolerance and mutual respect in the classroom.
3. (§ 23) ECRI recommends that the Government prepare and present to Parliament amendments to the Discrimination Act with a view to adding explicitly sex characteristics to prohibited discrimination grounds, in line with recommendation 7 of ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.
4. (§ 32) ECRI recommends that the Government prepare and present to Parliament amendments adding sex characteristics as one of the grounds among the explicit hate elements in the Criminal Code and in any other pieces of legislation relevant to prohibiting hate speech and hate crime.
5. (§ 44) ECRI recommends that public figures, such as high-level officials and politicians are strongly encouraged to take a prompt, firm and public stance against racist, and LGBTI-phobic hate speech and react to any such expression with strong counter-hate speech messages and alternative speech, as well as promote understanding between communities, including by expressing solidarity with those targeted by hate speech. In this context, ECRI refers to its General Policy Recommendation No. 15 on combating hate speech, Recommendation CM/Rec (2022)16 of the Committee of Ministers of the Council of Europe on combating hate speech and the Charter of European political parties for a non-racist and inclusive society as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).
6. (§ 53) ECRI recommends that the authorities develop frameworks for dialogue and co-operation between law enforcement and members of Black communities and people of African descent, in view of building trust and encouraging members of these communities to come forward and report hate crimes against them when they occur.
7. (§ 56) ECRI recommends that anonymised and disaggregated data be systematically and consistently collected and analysed by the Swedish criminal justice authorities during the lifecycle of a hate crime, from the point of reporting and recording to prosecution, sentencing and post-conviction support and diversion measures. In doing so, the authorities should take inspiration of the Committee of Ministers' Recommendation CM/Rec(2024)4 on combating hate crime. If necessary, Council of Europe support should be sought.
8. (§ 84) ECRI recommends that the Swedish authorities review and develop policies aiming at improving the integration of foreign nationals residing in Sweden and refrain from any action, including at legislative level, which would lead to unjustified differential treatment of such persons. In this context, the authorities should seek inspiration from the Council of Europe's Model Framework for an Intercultural Integration Strategy at the National Level. If necessary, Council of Europe support should be sought.

9. (§ 98) ECRI recommends that relevant data about the implementation of the 2012-2032 Strategy for Roma inclusion be periodically collected and analysed during the implementation of the Strategy, in consultation with civil society actors working in support of Roma, especially in the fields of education, housing, employment and health, while respecting principles of confidentiality, voluntary self-identification and informed consent, and, where appropriate, set clear targets and adapt any ongoing measures in support of Roma to maximise impact. Such data should cover the situation of non-Swedish Roma.
10. (§ 102) ECRI recommends, as a matter of priority, that the authorities review police guidelines on interaction with the public and better regulate “stop and search” activities, with a particular emphasis on the treatment of children and young people. In doing so, the authorities should introduce an effective system of tracking identity checks/stop and search instances by law enforcement officials, in order to allow enhanced supervision and to maintain public trust for residents of so-called “security zones”.
11. (§ 104) ECRI recommends to the Swedish authorities to speed up the preparation and presentation of a bill aimed at expanding protection of the Discrimination Act to cover actions by public officials, including police officers possibly engaging in racial profiling and other discriminatory practices.
12. (§ 110) ECRI recommends that the authorities review the relevant civil and administrative law provisions relevant to discrimination with a view to introducing more effective, proportionate and dissuasive sanctions, considering ways of improving the provision of legal aid to applicants in such cases and ensuring appropriate compensation for both material and moral damages to victims.

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The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body which specialises in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance in Europe; it prepares reports and issues recommendations to member States.