SWEDEN



Department for the Execution of Judgments of the European Court of Human Rights

Directorate General
Human Rights and Rule of law

Country factsheet

Last update
18 September 2026

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

French version:
Fiche pays de la Suède

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Cover design and layout:
Department for the Execution of Judgments of the European Court of Human Rights, Council of Europe

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I. Main achievements

This chapter presents short summaries of a selection of the main reforms and achievements reported in final resolutions since the Convention system was amended in 1998 by Protocol No. 11, with a clear focus on recent reforms, referring however also to important earlier developments.

In view of the wealth of cases closed, the selection concentrates on those which have led to changes of legislation, government regulations, the adoption of new policies or general guidance from superior courts. As a rule, the overview does not cover information on measures providing individual redress to applicants.

The reforms are in principle presented in the order corresponding to the thematic domains used in the specialised database HUDOC-EXEC of the Department for the Execution of Judgments of the European Court of Human Rights.

Many reforms address issues which appear to be on-going challenges in member states. The effects of reforms adopted at one point in time may thus need to be monitored and possibly revisited as conditions change.[1]

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

[1] The presentation is limited to the information provided at the time of the adoption of the final resolution. It is recalled in this context that the Committee of Ministers has issued Recommendation (2004)5 on thea verification of the compatibility of draft laws, existing laws and administrative practice with standards laid down in the European Convention on Human Rights.

Expulsion and related issues

In 2006, legislation on appeal procedures concerning aliens was amended and the Aliens Appeal Board was replaced by special Migration Courts, thus creating a three-level appeal system, with the Administrative Court of Appeal in Stockholm as the highest instance. Moreover, a new Aliens Act entered into force at the same time, providing clearer rules concerning the issuing of residence permits and placing more emphasis on grounds for an alien's international protection.

Bader and Kanbor (13284/04)

Final Resolution CM/ResDH(2010)112

Functioning of justice

Lack of access to a court

In January 2023, a constitutional reform entered into force extending the domestic courts' jurisdiction to defamation proceedings relating to television programmes with strong connections to Sweden whilst broadcasting from abroad.

Arlewin (22302/10)

Final Resolution CM/ResDH(2023)133

Fairness of proceedings

According to a legislative change in 1984, a party not satisfied with an arbitration decision could lodge an appeal before an ordinary civil court.

Administrative proceedings

Judicial review of certain administrative decisions by the Supreme Administrative Court was widened in 1988.

Boden (10930/84)

Final Resolution CM/ResDH(88)15

Hakansson and Sturesson (11855/85)

Final Resolution CM/ResDH(90)32

In 1995, legislative amendments restricted the above Court's role to review decisions taken by the government and referred other administrative decisions to the administrative courts of appeal, before which oral hearings shall be held if a party so requests, and no special reasons militating against it exist.

Fredin No. 2 (18928/91)

Final Resolution CM/ResDH(95)94

Criminal proceedings

Following an amendment in 1984, the Code of Judicial Procedure concerning hearings at appellate level stipulated that, if a party has requested a hearing, this shall take place unless it be deemed manifestly unnecessary.

Ekbatani (10563/83)

Final Resolution CM/ResDH(88)21

Bankruptcy proceedings

According to the Bankruptcy Act of 2005, if a bankruptcy decision is quashed, the creditor applying for bankruptcy shall compensate the debtor for bankruptcy costs taken out of the estate, unless it be proven that the debtor has caused the costs by their own negligence. In addition, district court decisions on responsibility for bankruptcy costs may now be appealed.

Stockholms Försäkrings- och Skadeståndsjuridik AB (38993/97)

Final Resolution CM/ResDH(2009)13

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

Olsby (36124/06)

Final Resolution CM/ResDH(2016)140

➢ Taxation-related proceedings

Under the 2003 Tax Payment Act, tax authorities and courts may remit or reduce a tax surcharge when the individual has not had their case determined/treated within a reasonable time. Also, the taxpayer was granted the unconditional right to be granted a stay of execution with respect to tax surcharges until the tax authority has reconsidered its decision or, if an appeal is lodged, until the competent county administrative court has examined the appeal. The taxpayer is not required to provide security in order to be granted such a stay of execution.

Janosevic (34619/97)

Final Resolution CM/ResDH(2007)59

➢ Ne bis in idem

Due to a legislative change in 2016, the Tax Agency is not allowed to decide on tax surcharges if a prosecutor has already initiated criminal proceedings for tax offences concerning the same individual relating to the same error or omission.

Lucky Dev (7356/10)

Final Resolution CM/ResDH(2016)141

Protection of private life

➢ Secret surveillance (bulk interception – acquisition communication data)

A legislative reform adopted by the Swedish authorities in 2024 filled the gaps in the Swedish system of bulk interception of communications highlighted by the Court. It introduced a clear rule on destroying intercepted material not containing personal data, a requirement to consider the privacy interests of individuals when deciding to transmit intelligence material to foreign partners, and an effective system of *ex post facto* independent review.

Centrum för rättvisa (35252/08)

Final Resolution CM/ResDH(2025)135

➢ Security services and protection of privacy

In January 2008, a new State agency, the Commission on Security and Integrity Protection, began supervising all personal data processing by the Swedish Security Service, as well as receiving complaints lodged by individuals. In cases where irregularities are found, the Commission shall cooperate with the competent authorities, notably the State Prosecution Service, the Chancellor of Justice and the Data Inspection Board so that necessary remedial action may be taken. The Data Inspection Board may order the Security Service to stop processing data, apply financial sanctions, or, in last resort, apply to the administrative courts to have the data erased.

Segerstedt-Wiberg and Others (62332/00)

Final Resolution CM/ResDH(2012)222

A new provision prohibiting intrusive photography (covert filming in private places) was introduced in 2013.

Söderman (5786/08)

Final Resolution CM/ResDH(2014)106

Protection of property rights

Time-limits for the validity of real property expropriation permits were introduced in 1972. All building bans in the context of expropriation proceedings expired in 1987 and no new similar bans could legally be issued thereafter.

Sporrong and Lönnroth (7151/75)

Final Resolution CM/ResDH(85)17

The 1987 Plan and Building Act provided that some decisions on building permits may be examined by administrative courts except for certain cases in which the Government remains the appeal instance. However, its decisions may be appealed before the Supreme Administrative Court.

Allan Jacobsson
(10842/84)

Final Resolution CM/ResDH(90)2



II. Main issues pending before the Committee of Ministers

This chapter presents the main issues pending in cases/groups of cases currently under the Committee of Ministers' supervision. The relevant supervision procedure is indicated for each case/group of cases.

Detailed information on the status of execution of these cases as well as on the Committee of Ministers' supervision process is available on the specialised database HUDOC-EXEC of the website of the Department for the Execution of Judgments of the European Court of Human Rights.

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

Expulsion and related issues

A real risk of ill-treatment in the case the applicant (an Afghan national) was removed from Sweden to Afghanistan. The Court underlined that the cumulative effect of the applicant's personal circumstances, including his Hazara ethnicity, against the background of the general human rights situation, created a real risk of ill-treatment if he was returned to Afghanistan (violation of Article 3 – conditional).

D.M. (32694/23)
Judgment final on 26/06/2026

Standard supervision
Status of execution



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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. The Committee of Ministers is the Council of Europe's decision-making body, composed by the foreign ministers of all 46 member states. It is a forum where national approaches to European problems and challenges are discussed, in order to find collective responses. The Committee of Ministers participates in the implementation of the European Convention on Human Rights through the supervision of the execution of judgments of the European Court of Human Rights.

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