

Franet National contribution to the Fundamental Rights Report 2021

Sweden

Contractor's name: Emerga Institute

Authors' name: Sara Abiri, Lotta Schneider, Nanna Malmberg
Rasmussen

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Policy and legal highlights 2020

Franet country study: policy and legal highlights 2020 SWEDEN	
Issues in the fundamental rights institutional landscape	A National Institute for Human Rights proposed. The government proposed the creation of a national institute for human rights in its budget bill for 2021. The institute will be an essential part of this structure and be tasked to investigate and report on how human rights are respected and implemented in Sweden.
EU Charter of Fundamental Rights	No developments in 2020.
Equality and non-discrimination	Analysis of the Swedish municipalities' compliance with the Discrimination Act: The Equality Ombudsman presented a report analysing data submitted by Sweden's municipalities in 2017-2018. The report found that 262 out of 287 municipalities (91 %) have neither guidelines nor procedures for preventing harassment, sexual harassment and reprisals.
Racism, xenophobia & Roma integration	The pandemic highlights increasing segregation. According to the Delegation against Segregation - a national authority tasked with reducing and counteracting segregation in society -the pandemic highlights the fact that segregation is increasing in Sweden. A Delegation report shows that people living in certain areas with socio-economic challenges have been affected harder by COVID-19. Many people living in these areas have jobs that they cannot perform from home. Other challenges are related to over crowdedness.
Asylum & migration	Possible visa and no application fee for persons who cannot return to their home countries due to covid-19. Persons who travelled to Sweden with a visa or are visa exempted, or who have had residence permits on other grounds can apply for visitor's residence permits, due to the pandemic. The permits are valid for up to three months and apply to persons who can show that they cannot leave Sweden due to the outbreak of covid-19. There are no fees for visitor's residence permit applications submitted after 15 May 2020 in accordance with the Alien Ordinance (Utlänningsförordning [2006:97])
Data protection and digital society	The Public Health Agency sceptical of the role of apps to fight covid-19. The authority considered it unclear whether apps tracking infectivity of covid-19 affected the spread of the pandemic at all. As a result, the ongoing development of a tracking app was cancelled. Greater insight into, and control over public administration personal data for the individual. The government gave several authorities a joint assignment to increase individuals' insight into, and when possible, control over their personal data within the public sector.

<p>Rights of the child</p>	<p>Proposal for a new penal provision on violation of a child´s integrity. The public inquiry proposal focuses on person committing a criminal act against a family member or other close relation in the face of a child. The introduction of a new criminal offence means that these persons also will be charged with a second crime - the violation of a child's integrity, if the action in question was witnessed by a child and was likely to damage the child's security or trust to any of these persons. The proposed legislative changes are expected to enter into force during 2021.</p> <p>Incorporation of the UN Convention on the Rights of a Child (CRC). On 1 January 2020, the CRC's incorporation into Swedish law entered into force.</p>
<p>Access to justice, including victims of crime</p>	<p>Increased risks of being vulnerable to violence due to covid-19. The government allocated 100 million SEK (€9.8 million) to civil society organisations that support victims of multiple forms of violence with reference to the pandemic.</p> <p>A review of the effects of new so-called consent law (samtyckeslagen) which clarifies that all sexual acts carried out without the consent of the other party are considered criminal offences shows a marked increase in the number of prosecutions and convictions after the amendments of the Criminal Code (Brottsbalk [1962:700]) in 2018. The number of convictions increased with 75 % from 2017 to 2019. The review indicates that the consent-based legislation has influenced the number of legal proceedings to a larger degree than anticipated.</p>
<p>Convention on the Rights of Persons with Disability</p>	<p>Reform of the Act on support and Service for certain persons with disabilities. A public inquiry report proposed the introduction on a new act transferring the responsibility for personal assistance measures from the municipalities to the state. The report has been on a round of consultations, and the consulting bodies submitted their reviews in November 2020. The government will further consider the reviews before a proposal of a new act is presented to the parliament.</p>

Chapter 1. Equality and non-discrimination

1.1 Legal and policy developments or measures relevant to fostering equality and combating discrimination against older people and against LGBTI people.

Older persons

From April until 22 October 2020, the Public Health Agency (*Folkhälsomyndigheten*)¹ strongly advised persons over 70 and persons included in other risk groups to:

1. limit social contacts,
2. avoid public transportation or any other public means of conveyance, and
3. avoid shopping in, for example, pharmacies and grocery stores or visits in other places where people gather.²

On 30 March 2020, the government introduced an ordinance³ aimed at stopping all visits at residential care homes for the elderly (*äldreboende*). The ordinance entered into force on 1 April 2020⁴ and was valid until 1 October 2020.⁵ The government tasked the Public Health Agency and the National Board of Health and Welfare (*Socialstyrelsen*) to come with new regulations regarding visits on residential care homes for the elderly further to prevent the spread of covid-19.⁶ As a result, the National Board of Health and Welfare decided on a new regulation that applies from 1 October 2020. The new regulations aim to ensure that visits to a person living in residential care homes can be carried out safely so that the risk of the covid-19 spreading in the accommodation is limited. The person who is

¹ Sweden, Swedish Public Health Agency (*Folkhälsomyndigheten*), You who are 70 years or older – limit your social contacts (*Du som är 70 år eller äldre – begränsa dina nära kontakter*), 12 June 2020 [available here](#)

² For more information on the recommendations for older persons, please see page 38 of the Franet country study released on 26 June 2020, [available here](#)

³ Sweden, Ordinance on a temporary ban against visits in special forms of housing for older persons in order to prevent the spread of the disease covid-19 (*Förordning [2020:163] om tillfälligt förbud mot besök i särskilda boendeformer för äldre för att förhindra spridningen av sjukdomen covid-19*), 1 April 2020, [available here](#)

⁴ For more information on the visitor ban, please see page 12 of the Franet country study released on 29 July 2020, [available here](#)

⁵ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), The visit ban on care homes for the elderly ends on 1 October (*Besöksförbudet på äldreboenden upphör 1 oktober*) press release, 15 September 2020, [available here](#)

⁶ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Assignment to analyse the temporary ban on visits to special forms of housing for the elderly (*Uppdrag att analysera det tillfälliga förbudet mot besök i särskilda boendeformer för äldre*), Government Assignment, 21 August 2020, [available here](#)

responsible for the residential care home must ensure that the home complies with the regulations.⁷ As a complement to these regulations, the Public Health Agency has issued recommendations on how residential care homes can work in accordance with the new provisions in the regulations.⁸

The isolation of the elderly has been subject to debate⁹ as it leads to increased mental and physical ill health among a group that already is more vulnerable than the general population.¹⁰ It has also been discussed that the Swedish strategy has been unequal as there have been different recommendations for different groups. Older people have been greatly affected by restrictions and forced into isolation and social distancing largely than younger people. A former state epidemiologist states in an article in the daily newspaper *Dagens Nyheter* that the Swedish strategy can be seen as a form of discrimination against older people, as they have been treated differently than other groups.¹¹

Furthermore, the fact that the numbers of covid-19 related deaths in the residential care homes for the elderly (*äldreboende*) are so high has been criticised and debated. These deaths have been interpreted as evidence of the fact that Sweden has failed to protect the oldest and vulnerable persons.¹² Several researchers and writers at newspapers state that the treatment of the elderly in residential care homes and home care for the elderly (*hemtjänst*) has shown discrimination against older people.¹³ The criticism was mainly about how older people became de-prioritised in a pressured healthcare system in favour of other groups infected by covid-19. In addition, the fact that doctors were recommended not to see elderly patients who were sick in covid-19, at the residential care homes, and instead make general assessments via phone- or video calls, was subject to debate. Professors at Umeå University (*Umeå universitet*) claimed that the treatment of the elderly was illegal discrimination¹⁴ and state that the Swedish strategy, first, was aimed to protect the health care system, rather than the

⁷ Sweden, the National Board of Health and Welfare (*Socialstyrelsen*), The National Board of Health and Welfare's regulations on visits to special forms of housing for the elderly during the covid-19 pandemic (*Socialstyrelsens föreskrifter om besök i särskilda boendeformer för äldre under covid-19-pandemin*), 1 October 2020, [available here](#)

⁸ Sweden, the Public Health Agency (Folkhälsomyndigheten), Recommendations on visits to special forms of housing for the elderly during the covid-19 (*Rekommendationer vid besök i särskilda boenden för äldre under covid-19*), 25 September 2020, [available here](#)

⁹ For more information on the recommendations for older people, please see page 8 of the Franet country study released on 6 April 2020, [available here](#)

¹⁰ Sweden, Swedish Public Health Agency (Folkhälsomyndigheten), Advice for the elderly about close contacts, physical distancing and possible consequences (*Råden till äldre om nära kontakter och fysiskt avstånd samt möjliga konsekvenser*), 31 August 2020 [available here](#)

¹¹ Sweden, *Dagens Nyheter* (daily newspaper), Ex-state epidemiologist XX: Sweden's strategy discriminates the elderly (*Ex-statsepidemiologen xxx: Sveriges strategi åldersdiskriminerande*), 4 September 2020, [available here](#)

¹² For more information on the deaths among older people, please see page 27 of the Franet country study released on 26 June 2020, [available here](#)

¹³ Sweden, *Aftonbladet* (daily newspaper) Revolution if we would treat infants as our elders (*Revolution om vi skulle behandla spädbarn som våra äldre*), columnist, 13 May 2020, [available here](#)

¹⁴ Sweden, the Swedish Television (*Sveriges Television, SVT*) Professor's anger against the corona care of the elderly: "Is discrimination" (*Professorns ilska mot coronavården av äldre: "Är diskriminering"*), 22 April 2020, [available here](#)

elderly.¹⁵ In addition, in a statement the National Organisation of Retired Persons (*Pensionärernas Riksorganisation, PRO*) requests that all older people who are seriously ill in covid-19 must receive an individual medical assessment also in the elderly care homes. They argue that older people should not be discriminated, but – just like everybody else – be given care in accordance with the Health Care Act (*Hälso- och sjukvårdslagen [2017:30]*)¹⁶. If future investigations show that mistakes have been made, the appropriate authorities must act to address this situation.¹⁷

The general debate about discrimination against the elderly also became visible among the increased amount of notifications to the Equality Ombudsman (*Diskrimineringsombudsmannen, DO*). In November 2020, a broadcast in the Swedish Radio (*Sveriges Radio, SR*) showed that the Equality Ombudsman had received over 60 cases of discrimination due to the covid-19 pandemic. Most of them were related to discrimination due to age and targeted the Public Health Agency, the National Board of Health and Welfare and the government. At present, none of the notifications received has led to further investigation.¹⁸

However, the Public Health Agency decided on 22 October 2020, to skip the general advice for persons over 70 to avoid social contact with others. Instead, everyone in Sweden has now the same responsibility to limit their social contacts to reduce the spread of covid-19.¹⁹ This decision was based on a new report made by the Public Health Agency, where the physical and psychological consequences of the previous recommendations for persons over 70, were analysed. The report showed several negative consequences such as the absence of social context, frustration and experienced discrimination and exclusion regarding the opportunity to participate in digital contexts²⁰. The Public Health Agency says that the elderly has taken a huge responsibility during the pandemic. However, it is not reasonable to place such a burden on one group when there are such large negative effects on their health and wellbeing.²¹

¹⁵ Sweden, *Dagens Medicin* (scientific medical journal), “Corona pandemic exposes age discrimination” (*“Coronaepidemin avslöjar åldersdiskrimineringen”*), opinion piece, 4 August 2020, [available here](#)

¹⁶ Sweden, The Health Care Act Act (*Hälso- och sjukvårdslagen [2017:30]*), 9 february 2017, [available here](#)

¹⁷ Sweden, National Organisation of Retired Persons (*Pensionärernas Riksorganisation, PRO*) (2020), Everyone has the right to an individual medical assessment (*Alla har rätt till en individuell medicinsk bedömning*), 19 October 2020, [available here](#)

¹⁸ Sweden, Swedish Radio (*Sveriges Radio*), Notifications of discrimination to the Equality Ombudsman linked to covid-19 (*DO-anmälningar om diskriminering kopplat till corona*), radio broadcast, 15 November 2020, [available here](#)

¹⁹ Sweden, Swedish Public Health Agency (*Folkhälsomyndigheten*) (2020), It is important that everyone takes responsibility when general advices is changed for people who are 70 years and older (*Viktigt att alla tar ansvar när allmänna råd ändras för personer som är 70 år och äldre*) press release, 22 October 2020, [available here](#)

²⁰ Sweden, Swedish Public Health Agency (*Folkhälsomyndigheten*) (2020), Consequences for persons 70 years and older of infection control measures against covid-19 (*Konsekvenser för personer 70 år och äldre av smittskyddsåtgärder mot covid-19*), report, 22 October 2020, [available here](#)

²¹ Sweden, Swedish Public Health Agency (*Folkhälsomyndigheten*) (2020), It is important that everyone takes responsibility when general advices is changed for people who are 70 years and older (*Viktigt att alla tar ansvar när allmänna råd ändras för personer som är 70 år och äldre*) press release, 22 October 2020, [available here](#)

During the late autumn 2020, the spread of Covid-19 at residential care homes for the elderly (*äldreboende*) once again became a health concern for many older citizens. On 21 November 2020, the Swedish Public Health Agency was given the authority to temporarily prohibit visits to special accommodation for the elderly under section 2 of the Ordinance on a temporary ban on visits to special forms of housing for the elderly to prevent the spread of covid-19 disease (*Förordning [2020:979] om tillfälligt förbud mot besök i särskilda boendeformer för äldre för att förhindra spridningen av sjukdomen covid-19*).²² The ban may apply in a municipality, a region or the country as a whole. The Public Health Agency's special regulations and guidelines that regulate the temporary ban applies until the end of February 2021.²³

In May 2020, the government decided to allocate SEK 50 million (€ 4,8 million) to counteract loneliness among the elderly during the virus outbreak. The National Board of Health and Welfare (Socialstyrelsen) will distribute the funds to organisations and foundations that run projects and activities for the elderly during Covid-19. This can be, for example, outreach activities by telephone to break isolation, help with digital meetings or help with food purchases²⁴. However, there has been criticism against how this money is intended to be used. In an open letter to the government and its coalition parties, three organisations for retired people²⁵, argues that their organisations are now forced to come up with projects to take part of the money instead of continuing with regular activities. They believe that ongoing activities are a more effective way to counteract loneliness among the elderly instead of inventing and testing new ones.²⁶

Due to the ongoing pandemic, the discussion about elderly care in Sweden has become more relevant. The National Organisation of Retired Persons (*Pensionärernas Riksorganisation, PRO*) claims the introduction of a special elderly care act in Sweden. They argue that the corona pandemic has painfully exposed the structural problems of elderly care and that the lack of resources has been accepted for too long. Those who would be most protected during the Corona crisis

²² Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Ordinance on a temporary ban on visits to special forms of housing for the elderly to prevent the spread of covid-19 disease (*Förordning [2020:979] om tillfälligt förbud mot besök i särskilda boendeformer för äldre för att förhindra spridningen av sjukdomen covid-19*), 21 November 2020, [available here](#)

²³ Regulations and general guidelines on a temporary ban on visits to special forms of housing for the elderly to prevent the spread of covid-19 disease (*Föreskrifter och allmänna råd [HSLF-FS 2020:78] om tillfälligt förbud mot besök i särskilda boendeformer för äldre för att förhindra spridningen av sjukdomen covid-19*), 3 December 2020, [available here](#)

²⁴ Sweden, Ministry of Culture (*Kulturdepartementet*) (2020), Civil society's efforts for society's most vulnerable persons are strengthened with SEK 100 million (*Nu stärks civilsamhällets insatser för samhällets mest utsatta med 100 miljoner kronor*) press release, 4 June 2020, [available here](#)

²⁵ Sweden, National Organisation of Retired Persons (*Pensionärernas Riksorganisation, PRO*) (2020), SPF Seniors (*SPF Seniorerna*) and SKPF Retired Persons (*SKPF Pensionärerna*)

²⁶ Sweden, National Organisation of Retired Persons (*Pensionärernas Riksorganisation, PRO*) (2020) Open Letter to the Government and its Coalition Parties (*Öppet brev till regeringen och dess samarbetspartier*) 30 June 2020 [available here](#)

have become the most vulnerable and too many have died. However, they demand that a special elderly care law must be introduced where the level of ambition for elderly care is raised. The medical competence in the municipalities must also be increased so that medical needs are always met, even among older people who are sick and are not judged to need hospital care. Resources for elderly care must increase. In order to accelerate the development of elderly care, the ongoing inquiry The Future of the Social Services Act (*Framtidens socialtjänst*) should propose that an elderly care law must be investigated. The National Organisation of Retired Persons' view is that care for the elderly should not be part of society's ultimate safety net - instead, it should ensure people a good old age.²⁷

Today, elderly care is regulated in the Social Services Act (*Socialtjänstlag*[2001:453]).²⁸ In August 2020, the Inquiry of the Future of the Social Services Act was handed over to the Minister of Social Affairs.²⁹ In the investigation, the question regarding a special elderly care act was discussed. However, according to the inquiry's assessment, there are several fundamental advantages to the elderly care being regulated in the Social Services Act. The continued work should, therefore, be done within the framework of that Act.³⁰

LGBTI persons

The government's work for the equal rights and opportunities for LGBTI persons is based on the strategy for equal rights and opportunities irrespective of sexual orientation, gender identity or gender expression.³¹ The strategy has laid the foundation for long-term action within the existing focus areas, including violence, discrimination and other degrading treatment; young LGBTI persons; health, care and social services; private and family life; culture; and civil society. Strategic government authorities have been appointed. Measures have also been taken in other areas, such as migration and asylum.

The government intends to supplement the strategy with an action plan to further strengthen the work for LGBTI people's equal rights and opportunities. The purpose of the action plan is to supplement and focus efforts. The proposals submitted by the Swedish Agency for Public Management (*Statskontoret*) during the evaluation of the strategy in 2016 and in the 2017 public inquiry report entitled 'Transgender people in Sweden – Proposals for a stronger position and improved living conditions' will be considered in this work. The government also has a

²⁷ Sweden, National Organisation of Retired Persons (*Pensionärernas Riksorganisation, PRO*) PRO demands a law that guarantees good living conditions for the elderly (*PRO kräver lag som garanterar goda levnadsvillkor för äldre*) 15 June 2020, [available here](#)

²⁸ Sweden, Social Services Act (*Socialtjänstlag* [2001:453]) Section 5 paragraph 4-5, 7 June 2001, [available here](#)

²⁹ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) The Future of the Social Services Act (*Framtidens socialtjänst, SOU 2020:47*) p. 855, 26 August 2020, [available here](#)

³⁰ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) The Future of the Social Services Act (*Framtidens socialtjänst, SOU 2020:47*) p. 855, 26 August 2020, [available here](#)

³¹ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Strategy for Equal Rights and Opportunities Irrespective of Sexual Orientation, Gender Identity or Gender Expression (En strategi för lika rättigheter och möjligheter oavsett sexuell läggning, könsidentitet eller könsuttryck), 17 June 2019, [available here](#)

dialogue on the contents of the action plan with organisations representing LGBTI persons' equal rights, as well as with the strategic government authorities.³²

As a part of the overall effort to strengthen equal rights and opportunities for LGBTI persons, the government decided to allocate more resources for this purpose in its budget bill for 2020. The work was supported by 14 million SEK (€1.63 million) for 2020 and a further 10 million SEK (€971,445) for 2021 and 2022. A robust civil society is an important priority for the government and an extra 2 million SEK (€194,432) is allocated for civil society organisations working for LGBTI persons. The decision means that the current state subsidies of 9.2 million SEK (€894,183) will be increased to 11.2 million SEK (€1.09 million).³³

On 10 December 2020, the government appointed a public inquirer to review the Parental Code's regulations on parenthood and otherwise consider certain changes to the family law regulations.³⁴ Based on the best interests of the child, the aim of the inquiry is to achieve more cohesive, gender-neutral and equal regulations of parenthood and parental responsibility adapted to different family constellations. The public inquirer shall, among other things, take a position on: 1) how the regulations of the Parental Code (*Föräldrabalk [1949:381]*)³⁵ on parenthood can be designed to be clearer, more uniform, comprehensive, gender-neutral and inclusive and easier to apply; 2) whether the possibilities to terminate a parenthood (*häva ett föräldraskap*) should be limited; 3) whether persons who are no longer married or cohabiting should be able to adopt jointly or adopt each other's children, and 4) if the conditions for children to maintain their relationship with a social parent after separation or death need to be improved, and if measures need to be taken to make it easier for families where more than two adults have the parental responsibility. The public inquirer shall propose the constitutional amendments and other measures that are needed to the government no later than 21 June 2022.³⁶

In 2020, there are a few current legislative works and a series of government assignments to *different* agencies, which are described below.

Legal developments

Greater protection against honour-related crimes

³² Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) The Government's work for the equal rights and opportunities of LGBTI people (*Regeringens arbete för hbtq-personers lika rättigheter och möjligheter*) Information material, 28 July 2020, [English version - available here](#), [Swedish version - available here](#)

³³ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) More money to LGBTI-organisations (*Mer pengar till hbtq-organisationer*) press release, 3 April 2020, [available here](#)

³⁴ Sweden, Ministry of Justice (*Justitiedepartementet*), A parental law for everyone (*En föräldraskapsrättslig lagstiftning för alla*, *Dir. 2020:132*), 10 December 2020, [available here](#)

³⁵ Sweden, Parental Code (*Föräldrabalk [1949:381]*), 10 June 1949, [available here](#)

³⁶ Sweden, Ministry of Justice (*Justitiedepartementet*), A parental law for everyone (*En föräldraskapsrättslig lagstiftning för alla*, *Dir. 2020:132*), 10 December 2020, [available here](#)

In May 2020, the Swedish parliament passed the government's draft legislation presented in the government bill entitled 'Greater protection against honour-related crime' (*Ökat skydd mot hedersrelaterad brottslighet*).³⁷ According to the bill, heteronormative conceptions associated with violence and oppression mean that LGBTI people's sexual orientation, gender identity or expression may be seen as a threat to a family's honour. LGBTI people can be subjected to the same kind of honour-related violence and oppression as other young people, especially through so-called 'conversion attempts' (*omvändelseförsök*). This may involve family members or other relatives trying to get a LGBTI person to "become" heterosexual by finding them a suitable partner and forcing them to enter into marriage, for example. LGBTI people are, therefore, a vulnerable group in honour contexts. The legislative amendments entered into force on 1 July 2020.

Modernising the Parental Code

The government is working actively to ensure that the Parental Code (*Föräldrabalk [1949:381]*)³⁸ is equitable, modern and adapted to different family constellations – based on the best interests of the child. The point of departure is that parental regulations should not differentiate between people based on gender or sexual orientation unless there are substantial grounds for doing so. On 27 February 2020, the government appointed a special inquirer to look into expanded possibilities of making foreign persons' parenthood valid in Sweden.³⁹ The purpose is to achieve more fit-for-purpose, equitable and modern regulations concerning parenting in international contexts. The final report is to be presented by 21 June 2021. This inquiry is connected to a case from 2019 that received much attention in Swedish media. For more information, please see Annex 2 case law.

Policy developments

Increased knowledge about the living conditions of young LGBTI persons

Young LGBTI persons' health is more at risk than that of other young persons. For example, suicide attempts are much more common among young LGBTI people than other young people. According to the Public Health Agency of Sweden (*Folkhälsomyndigheten*), the differences in health are related to the fact that LGBTI persons are more commonly exposed to prejudice, discrimination and violence due to the negative perceptions of others about their sexual orientation and gender identity.⁴⁰ The government wants to increase knowledge about young LGBTI people's health and living conditions. As a result, the government has

³⁷ Sweden, Ministry of Justice (*Justitiedepartementet*) (2020) Greater protection against honour-related crime (*Ökat skydd mot hedersrelaterad brottslighet, prop. 2019/20:131*) government bill, 24 Mars 2020, [available here](#)

³⁸ Sweden, Parental Code (*Föräldrabalk [1949:381]*), 10 June 1949, [available here](#)

³⁹ Sweden, Ministry of Justice (*Justitiedepartementet*) (2020) Expanded possibilities of making foreign persons' parenthood valid in Sweden (*Utökade möjligheter att göra utländska föräldraskap gällande i Sverige, Dir. 2020:19*) 28 February 2020, [available here](#)

⁴⁰ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) The Living Conditions of Young LGBT persons will be surveyed (*Unga hbtq-personers levnadsvillkor ska kartläggas*), press release, 30 July 2020, [available here](#)

assigned the Swedish Agency for Youth and Society (*Myndigheten för ungdoms- och civilsamhällesfrågor, MUCF*) with the task to conduct such an investigation.⁴¹ The assignment must be reported in 2022. The Agency gets 500,000 SEK (€48,490) for the year 2020, and the total cost for the assignment amounts to 2.5 million SEK (€242,445).

Strategic authorities for LGBTI issues

In June 2020, the government appointed the Swedish Police and the Ombudsman for Children in Sweden as new strategic agencies for LGBTI issues. This will strengthen the agencies' conditions for long-term and continuous work for LGBTI persons' equal rights and opportunities. Since earlier, there are eight other strategic authorities for LGBTI issues. One step in the progress of a new action plan to further strengthen the work for LGBTI persons' equal rights and opportunities is to expand the number of strategic agencies.⁴² The Swedish Police (*Polisen*)⁴³ and the Ombudsman for Children (*Barnombudsmannen*)⁴⁴ shall identify and report on development needs, goals and activities that the authority intends to take during 2020-2022. Furthermore, they shall conduct a dialogue with other authorities as well as other actors in this field. For the implementation of this assignment, each authority may use 500,000 SEK (€48,490).

Inclusion of non-binary people in questionnaires and surveys

In June 2020, the government tasked Statistics Sweden (*Statistiska Centralbyrån, SCB*) to disseminate and manage support material⁴⁵ focusing on how public sector actors can include binary and non-binary transgender people in their questionnaires and surveys. As there is a knowledge gap about the living conditions of binary and non-binary transgender people, it is essential that questionnaires and surveys capture and report different aspects of the situation of these groups.⁴⁶

⁴¹ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Assignment to the Swedish Agency for Youth and Civil Society to Map and Compile Knowledge about the Living Conditions of Young LGBT People (*Uppdrag till Myndigheten för ungdoms- och civilsamhällesfrågor att kartlägga och sammanställa kunskap om unga hbtq-personers levnadsvillkor*), Government Assignment, 31 July 2020, [available here](#)

⁴² Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) The Police Authority and the Ombudsman for Children gets new LGBTI-assignment (*Polisen och BO får nya hbtq-uppdrag*), press release, 26 June 2020, [available here](#)

⁴³ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Assignment to the Swedish Police to become a strategic authority for equal rights and opportunities for LGBTI persons (*Uppdrag till polismyndigheten att vara strategisk myndighet för hbtq-personers lika rättigheter och möjligheter*) government assignment, 29 June 2020, [available here](#)

⁴⁴ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Assignment to the Ombudsman for Children to become a strategic authority for equal rights and opportunities for LGBTI persons (*Uppdrag till Barnombudsmannen att vara strategisk myndighet för hbtq-personers lika rättigheter och möjligheter*) Government assignment, 29 June 2020, [available here](#)

⁴⁵ Sweden, Statistics Sweden (*Statistiska Centralbyrån, SCB*) (2020) Support material on how to include transgender people in questionnaires and surveys (*Stödmaterial för att inkludera transpersoner enkäter och undersökningar*) [available here](#)

⁴⁶ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Statistics Sweden shall disseminate material on how transgender people may be included in questionnaires and surveys (*SCB ska*

Support to organisations due to COVID-19

In April 2020, the government adopted an ordinance to allocate 100 million SEK (€9.2 million) to non-profit organisations' activities to address increased vulnerability resulting from the COVID-19 pandemic⁴⁷. This money should go to organisations working with children in vulnerable situations and organisations working with LGBTI persons who are subjected to violence.⁴⁸

Increasing the knowledge about so-called conversion attempts among young LGBTI persons

The question regarding so-called conversion attempts (*omvändelseterapi/omvändelseförsök*) among young LGBTI persons, has received attention from civil society organisations in the past few years. Conversion attempts often include pressure and coercion to prevent a person from identifying as an LGBTI person or not expressing that part of their identity. However, there is yet no general definition of what is meant by the term "conversion attempt".⁴⁹ The government states that more knowledge is needed and consequently gives the Swedish Agency for Youth and Society (*Myndigheten för ungdoms- och civilsamhällesfrågor, MUCF*) the task to review the phenomenon and compile existing knowledge of how conversion attempts express themselves in Sweden.⁵⁰

Surveying the work environment of LGBTI persons

The government has tasked the Swedish Agency for Work Environment Expertise (*Myndigheten för arbetsmiljökunskap*) with investigating the organisational and social work environment of LGBTI persons with a particular focus on the work environment of transgender persons. The assignment includes the dissemination of knowledge that can provide support for employers, work safety representatives and other elected representatives at Swedish workplaces. Previous surveys indicate that the work environment for LGBTI persons is worse than that of other groups. However, it has been over 15 years since the last comprehensive study was done on the subject.⁵¹ When carrying out the assignment, the authority shall

sprida material om hur transpersoner kan inkluderas i enkäter och undersökningar) press release, 26 June 2020, [available here](#)

⁴⁷Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Measure to meet increased vulnerability due to the new corona virus (*Satsning för att möta ökad utsatthet i samband med det nya coronaviruset*) press release, 1 April 2020, [available here](#)

⁴⁸ For more information about the government's measure to meet increased vulnerability due to covid-19, please see page 15 of Franet country study published on 4 May 2020, [available here](#)

⁴⁹ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) The government wants to increase the knowledge about so-called conversion attempts among young LGBTI persons (*Regeringen vill se mer kunskap om unga hbtq-personers utsatthet för så kallad omvändelseterapi*), press release, 30 July 2020, [available here](#)

⁵⁰ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Assignment to the Swedish Agency for Youth and Society to review and compile knowledge about the LGBTI persons' vulnerability of so-called conversion attempts (*Uppdrag till Myndigheten för ungdoms- och civilsamhällesfrågor att kartlägga och sammanställa kunskap om unga hbtq-personers utsatthet för s.k. omvändelseterapi*), government assignment, 31 July 2020, [available here](#)

⁵¹ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) The Swedish Agency for Work Environment Expertise shall review the work environment of LGBTI persons (*Myndigheten för arbetsmiljökunskap ska kartlägga hbtq-personers arbetsmiljö*) press release, 4 May 2020, [available here](#)

have dialogues with LGBTQ organisations and other relevant authorities. The assignment will be partially reported on 30 June 2021 and finalised on 30 June 2022. The government allocates SEK 2,5 million (€243,652) in total for this assignment.⁵²

1.2 Findings and methodology of research, studies or surveys on experiences of discrimination against older people and against LGBTI people.

Analysis of the Swedish municipalities' compliance with the Discrimination Act

In the autumn of 2017, the Equality Ombudsman (*Diskrimineringsombudsmannen, DO*) decided to review all municipalities' and regions' guidelines and procedures for preventing harassment, sexual harassment and reprisals. In a report, published in May 2020, an in-depth analysis was made of the data that the municipalities submitted to the Equality Ombudsman in 2017–2018.⁵³ The analysis' aim was to understand better how municipalities and regions are handling the legal requirements to have guidelines and procedures for preventing harassment, sexual harassment and reprisals. The aim was also to investigate any potential reasons for non-compliance with the requirements of the Discrimination Act (*Diskrimineringslag [2009:567]*).⁵⁴

In short, the Equality Ombudsman found that 262 out of 287 municipalities (91 %) were lacking in terms of either guidelines or procedures. In other words, only 25 municipalities, (9 %) of Sweden's re comply with the legal requirements. Out of the 20 regions, 15 (75 %) did not comply with the requirements.

The analysis showed that:

- The municipalities lack knowledge about the requirements of the Discrimination Act, in particular about the regulations on the prevention of reprisals
- The municipalities are uncertain about the meaning of terms used in the Discrimination Act
- The municipalities confuse the Discrimination Act with the Work Environment Act.

⁵² Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Assignment to the Swedish Agency for Work Environment Expertise to obtain and compile knowledge about the work environment of LGBTI people (*Uppdrag till myndigheten för arbetsmiljökunskap om att inhämta och sammanställa kunskap om hbtq-personers arbetsmiljö*) Government Assignment, 5 May 2020 [available here](#)

⁵³ Sweden, Equality Ombudsman (*Diskrimineringsombudsmannen*) To want, understand and be able to– an analysis of municipalities' guidelines and procedures for preventing harassment, sexual harassment and reprisals (*Vilja, förstå och kunna – En analys av kommuners riktlinjer och rutiner avseende trakasserier, sexuella trakasserier och repressalier*) Report 2020:1, 20 May 2020, [available here](#)

⁵⁴ Sweden, Discrimination Act (*Diskrimineringslagen [2009:567]*), 5 June 2008, [available here](#)

The overall conclusion is that Sweden's municipalities need to strengthen their knowledge about the content and requirements of the Discrimination Act. In concrete terms, this means that municipalities need to learn more about:

- The purpose of the Discrimination Act in general, and specifically the purpose of chapter 3 on active measures and Chapter 3, section 6 of the Discrimination Act
- The discrimination grounds
- The terms harassment, sexual harassment and reprisals
- The difference between the Discrimination Act and the Work Environment Act

Age discrimination and ageism in working life

The Delegation for the Promotion of Senior Workers (*Delegationen för senior arbetskraft*) is tasked with promoting a more inclusive and unbiased approach to senior workers in the working life. In its report,⁵⁵ the Delegation discusses some of the obstacles for raising the retirement age, for example stereotypical notions of and prejudices against older persons. The report also discusses the legal tools available to deal with such problems, the prohibition of discrimination and demands for active measures as stipulated in the Discrimination Act.⁵⁶

Age discrimination on the labour market is a real problem for individuals and for society, as shown by existing research. The number of reports of age discrimination submitted to the Equality Ombudsman confirms that age discrimination and ageism are common. The report raises the question whether the current legislation is sufficient and adequate to counteract the ageism and age discrimination that occurs. The Discrimination Act mainly provides personal protection against discrimination in retrospect, while ageism is a phenomenon which also occur at the societal level and which should be counteracted in advance.

The report's main conclusion⁵⁷ was that ageism in working life cannot be counteracted solely by the protection of the Discrimination Act. Instead, other and broader measures are required. Protection against discrimination is essential for the individual who gets his or her case tried, but the vast majority of cases of perceived harmful discrimination due to age is never reported. In addition, cases that are reported rarely go to trial. There is sufficient knowledge to say that ageism is a real problem in working life. The Discrimination Act's protection against

⁵⁵ Sweden, Delegation for the Promotion of Senior Workers (*Delegationen för senior arbetskraft*) (2020) Age discrimination and ageism in the working life (*Åldersdiskriminering och ålderism i arbetslivet*) Report 18, February 2020 [available here](#)

⁵⁶ Sweden, Discrimination Act (*Diskrimineringslagen [2009:567]*), 5 June 2008, [available here](#)

⁵⁷ Sweden, Delegation for the Promotion of Senior Workers (*Delegationen för senior arbetskraft*) (2020) Age discrimination and ageism in the working life (*Åldersdiskriminering och ålderism i arbetslivet*) Report 18, February 2020 [available here](#)

discrimination and requirements for active measures are a good start, but more must be done.

Are the elderly allowed to participate in the media society?

A second report by the Delegation for the Promotion of Senior Workers (*Delegationen för senior arbetskraft*) addresses two subjects relating to the media society and the elderly: 1) the image of older persons and their voices as portrayed in the media and 2) the digital divides and how older persons use digital media today.⁵⁸

The report shows that the media image of the elderly is problematic as it may contribute to discrimination. Older persons only occur in the media's various stories to a limited extent – both in news and in fiction – and many times they are presented as a weak and homogeneous group. Consequently, media shows a partially one-sided image of older persons, what they do and how they feel. Furthermore, the report states that age is one of the most essential factors in understanding the prevailing so-called digital divide. Digitisation can be an asset with an ever-increasing range of online services that can make everyday life easier. However, digital technology can also create stress if you find it expensive, inaccessible or complicated. The report maintains that if services from the public sector require digital competence, it is also the responsibility of the public sector to ensure that all citizens have the opportunity to be digital.

Based on the problems identified in the report, the Delegation concludes with some recommendations for awareness raising in the media industry. In short, concrete strategies and routines are needed both to increase the diversity of media images of the elderly and to reduce digital exclusion⁵⁹.

Public inquiry proposes legislative changes aimed at increasing the effectiveness of the Equality Ombudsman's supervisions

On 15 December 2020, a report was presented to the government by the public inquiry tasked with presenting proposals aimed at increasing the effectiveness of the Equality Ombudsman's (*Diskrimineringsombudsmannen*) supervision of the so-called active measures of chapter 3 of the Discrimination Act.⁶⁰ According to the Discrimination Act (*Diskrimineringslag [2008:567]*),⁶¹ active measures are defined as preventive and promotional efforts aimed at counteracting discrimination within public institutions and businesses and in other ways work for

⁵⁸ Sweden, Delegation for the Promotion of Senior Workers (*Delegationen för senior arbetskraft*) (2020) Are the elderly allowed to participate in the media society? (*Får äldre vara med i mediasamhället?*) Report 19, Mars 2020, [available here](#)

⁵⁹ Sweden, Delegation for the Promotion of Senior Workers (*Delegationen för senior arbetskraft*) (2020) Are the elderly allowed to participate in the media society? (*Får äldre vara med i mediasamhället?*) Report 19, Mars 2020, [available here](#)

⁶⁰ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), More efficient supervision of the Equality Act, public inquiry report (*Effektivare tillsyn över diskrimineringslagen, SOU 2020:79*), [available here](#)

⁶¹ Sweden, Discrimination Act (*Diskrimineringslag [2008:567]*), 5 June 2008, [available here](#)

equal rights and opportunities regardless of gender, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age.⁶² The preventive and promotional work include: 1) examining whether there are risks of discrimination or retaliation or whether there are other obstacles to the equal rights and opportunities within the institution or business; 2) analysing the causes of the detected risks and obstacles; 3) taking the required preventive and promotional measures; and 4) following up and evaluating the on-going work.⁶³

In the report, the inquiry proposes the deleting of a provision in the Discrimination Act, which stipulates that when the Equality Ombudsman supervises compliance with the Act, “the Ombudsman is to try in the first instance to induce those to whom the Act applies to comply with it voluntarily”.⁶⁴ The inquiry stresses that it is paradoxical that legislation that ultimately aims at protecting human rights should so strongly emphasise that this protection is to be attained voluntarily and the provision in the act should be deleted. Furthermore, the inquiry proposes that it should be possible for the Equality Ombudsman to issue regulations aimed at clarifying and expanding on the overarching provisions on active measures in the Discrimination Act. Regulations that may be relevant concern both clarifying regulations, e.g. regarding when certain measures are to be carried out, and detailed instructions on which requirements are made on the content of these certain measures.⁶⁵

Additionally, the inquiry also proposes that the supervisory responsibility for the sphere in the Discrimination Act that is regulated by the Education Act should be transferred from the Equality Ombudsman to the Swedish Schools Inspectorate (*Skolinspektionen*). This proposal is firstly because the personnel resources of the Swedish Schools Inspectorate for exercising supervision are almost ten times that of the Equality Ombudsman. Furthermore, the area supervised by the Swedish Schools Inspectorate is limited to the sphere covered by the Education Act, while the Equality Ombudsman supervises several different areas. The transfer of supervisory responsibility means that the administrative sanctions of Chapter 26 of the Education Act (*Skollag* [2010:800])⁶⁶ will apply to supervision. The right to bring an action in cases for compensation for discrimination on behalf of children and school students in the sphere covered by the Education Act will also be transferred from the Equality Ombudsman to the Swedish Schools Inspectorate. The Child and School Student Representative (*Barn- och elevombudet, BEO*) will perform duties regarding protection from discrimination and compensation for

⁶² Sweden, Discrimination Act (*Diskrimineringslag* [2008:567]), chapter 3, section 1, 1 January 2017, [available here](#)

⁶³ Sweden, Discrimination Act (*Diskrimineringslag* [2008:567]), chapter 3, section 2, 1 January 2017, [available here](#)

⁶⁴ Sweden, Discrimination Act (*Diskrimineringslag* [2008:567]), chapter 4, section 1, 5 June 2008, [available here](#)

⁶⁵ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), More efficient supervision of the Discrimination Act, public inquiry report (*Effektiva tillsyn över diskrimineringslagen, SOU 2020:79*), [available here](#)

⁶⁶ Sweden, Education Act (*Skollag* [2010:800]), chapter 26, 23 June 2010, [available here](#)

discrimination in the same way as for damages due to abusive behaviour in line with the instructions of the Swedish Schools Inspectorate.⁶⁷

The report also includes several other proposals, e.g. on closer collaboration between the Equality Ombudsman and the Swedish Work Environment Authority (*Arbetsmiljöverket*); the establishing of a regulation council at the Ombudsman; and consultations between the Ombudsman and the labour market partners.⁶⁸

⁶⁷ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), More efficient supervision of the Discrimination Act, public inquiry report (*Effektivare tillsyn över diskrimineringslagen, SOU 2020:79*), [available here](#)

⁶⁸ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), More efficient supervision of the Discrimination Act, public inquiry report (*Effektivare tillsyn över diskrimineringslagen, SOU 2020:79*), [available here](#)

Chapter 2. Racism, xenophobia and related intolerance

1. Legal and policy developments relating to the application of the Racial Equality Directive

Equality Ombudsman's Inspections

Inspection concerning neglect to act in cases of ethnic/religious discrimination

In January 2020, the Equality Ombudsman (*Diskrimineringsombudsmannen*) completed an inspection process that was related to information about discrimination on the grounds of ethnicity and/or religion, at the Karolinska University Hospital (*Karolinska Universitetssjukhuset*).⁶⁹ The inspection process was initiated after media reports stating that doctors at Karolinska had been subjected to Antisemitic harassment for many years. One of the doctors had filed a complaint to the employer. However, the Karolinska University Hospital had not taken any relevant measures to investigate the complaint. The Equality Ombudsman concluded that Karolinska has failed to meet its legal requirements to investigate complaints of harassment. This failure means that Karolinska University Hospital has not fulfilled its obligations as defined by the Discrimination Act.⁷⁰

When the Equality Ombudsman terminates an inspection, it happens in the form of a notice directed to the responsible actor that has been inspected, for example an employer. In the notice, the Equality Ombudsman informs whether they assess that the responsible actor have acted in accordance with the law or not. The assessments made in the inspections are not legally binding and are not connected with any sanctions. The inspection have a controlling function, and can be seen as an advisory decision for actors who are obliged to follow the law.⁷¹

Inspection concerning discrimination of a member by Swedish Medical Association

In November, the Equality Ombudsman (*Diskrimineringsombudsmannen*) concluded that the Swedish Medical Association (*Sveriges Läkarförbund*) had discriminated one of its members when this person had brought to matter that he had been exposed to Antisemitic harassment at his workplace, Karolinska

⁶⁹ Sweden, Equality Ombudsman (*Diskrimineringsombudsmannen*) (2020) Failed investigative measures criticised by the Equality Ombudsman (*Bristande utredningsåtgärder får kritik av DO*), 31 January 2020, available here

⁷⁰ Sweden, Discrimination Act (*Diskrimineringslag [2008:567]*), Chapter 2, section 3, 5 June 2008, available here

⁷¹ Sweden, Equality Ombudsman (*Diskrimineringsombudsmannen*) Data collected in writing through e-mail correspondence, 16 November 2020

University Hospital.⁷² The union had left a notice to the member, saying that you must never bring charges on antisemitism to the employer, since that could harm the union's relationship with the employer. This notice has been intending, according to the Equality Ombudsman, to discourage the member from reporting the experienced harassment and is thus an infringement of the discrimination ban.

Inspection concerning decision with ethnic/religious discrimination consequences

In March 2020, the Equality Ombudsman (*Diskrimineringsombudsmannen*) initiated an inspection process against the municipality Skurup, due to the municipality's city council's decision to ban different forms of veil and headscarves in the municipality's elementary schools and preschools. This decision meant that wearing of burkas, niqabs and headscarves would not be allowed, neither for pupils nor for teachers.⁷³ The aim of the Equality Ombudsman's inspection is to answer whether the municipality's decision and its consequences can be considered in comply with the Discrimination Act.⁷⁴ All of the municipality's school principals commented on the city council's decision in a joint statement in a local newspaper, where they claimed that they all consider it impossible to implement such a ban.⁷⁵ In November 2020, the Equality Ombudsman stated that the municipality's decision did not comply with the ban against discrimination due to religion or other beliefs, as established in the Discrimination Act.⁷⁶ The inspection found that even though the policy according to its formulation concerns all items of clothing that covers pupils and staff in the municipality's preschools or schools, the aim is to ban religious clothing. This means that an application of the policy in relation to persons who carry such clothing will be connected to their religion or other belief. With the exception of situations where such garments will affect a pupil or employee's objective preconditions to perform a part of the education or a task, an application of the policy means an infringement of the ban against direct discrimination.

Assignment to create a Swedish version of the digital installation Dimensions in Testimony

⁷² Sweden, Equality Ombudsman (*Diskrimineringsombudsmannen*) (2020) Member who brought antisemitic harassment to matter was discriminated by the union (*Medlem som påtalade antisemitiska trakasserier diskriminerades av facket*), press release, 13 November 2020, [available here](#)

⁷³ Sweden, Equality Ombudsman (*Diskrimineringsombudsmannen*) (2020) The Equality Ombudsman initiates inspection process against Skurup municipality (*DO inleder tillsyn mot Skurups kommun*), press release 12 March 2020, [available here](#)

⁷⁴ Sweden, Discrimination Act (*Diskrimineringslag [2008:567]*), 5 June 2008, [available here](#)

⁷⁵ Sweden, "Principals of Skurup do not see any possibility to implement a head scarf ban" in *Ystads Allehanda* ("*Skurups rektorer ser ingen möjlighet att genomföra slöjförbud*"), newspaper editorial, 28 February 2020, [available here](#)

⁷⁶ Sweden, Equality Ombudsman (*Diskrimineringsombudsmannen*) (2020) Ban against headscarf and other religious items of clothing not compliable with the Discrimination Act (*Förbud mot huvudduk och andra religiösa klädesplagg inte förenligt med diskrimineringslagen*), press release, 13 November 2020, [available here](#)

March 2020, the government assigned to the National Historical Museums (*Statens historiska museer*) 2,3 million SEK (€220,900) to develop a Swedish-speaking version of the digital installation *Dimensions in Testimony*, in which through artificial intelligence technique, visitors can speak with survivors of the Holocaust via pre-recorded answers to questions.⁷⁷ There are few survivors from the Holocaust still alive, who can tell their experiences, and thus a need to keep the survivor's testimonies in different ways.

Research review on teaching with the potential to counteract antisemitism and other forms of racism

In March 2020, the government assigned the University of Gothenburg (*Göteborgs universitet*) to review the current research on teaching within the school system that can counteract antisemitism and other forms of racism.⁷⁸ 1.2 million SEK (€115,250) was allocated for the assignment, which shall focus on both national and international research on the topic. The research seminar in connection with this review was originally to take place in connection with the Malmö International Forum on Holocaust Remembrance and Combating Antisemitism in October 2020. However, as the Forum itself, the research seminar is also postponed with one year.⁷⁹ The assignment shall be performed in dialogue with Uppsala University, the Living History Forum, Malmö University, the Swedish Defence University (*Försvvarshögskolan*) and other relevant universities.

Government measures against antisemitism

During 2020, the government has initiated several measures against antisemitism. In April, a special inquirer submitted a report proposing how a museum to preserve and spread the memory of the Holocaust should be established in Sweden.⁸⁰ The museum's focus will be on the stories of Holocaust survivors with a connection to Sweden. The museum is proposed to be established in the form of an independent authority since the authority form gives a museum of this kind the best possibilities to develop the museum's activities based on relevant priorities and long-term strategic goals. The special inquirer's report has been sent out for referral. The consultation bodies are mainly positive, but some of them question the need to establish a new independent authority for the assignment.⁸¹

⁷⁷ Sweden, Ministry of Education (*Utbildningsdepartementet*), Assignment to the National Historical Museums to develop a Swedish version of the installation *Dimensions in Testimony* (*Uppdrag till Statens historiska museer att utveckla en svensk version av installationen Dimensions in Testimony*), government assignment, 31 March 2020, available here

⁷⁸ Sweden, Ministry of Education (*Utbildningsdepartementet*), Assignment to the University of Gothenburg to review current research and arrange a research seminar (*Uppdrag till Göteborgs universitet att ta fram en forskningsöversikt och genomföra ett forskarseminarium*), government assignment, 31 March 2020, available here

⁷⁹ Sweden, Ministry of Education (*Utbildningsdepartementet*), data collected in writing through email correspondence, 10 September 2020

⁸⁰ Sweden, Ministry of Culture (*Kulturdepartementet*) A higher gear in the minority politics – Strengthened coordination and monitoring (*Högre växel i minoritetspolitiken - Stärkt samordning och uppföljning*), public inquiry SOU 2020:27, 8 May 2020, available here

⁸¹ Sweden, Ministry of Culture (*Kulturdepartementet*) Referral SOU 2020:21 Sweden's museum on the Holocaust (*Remiss SOU 2020:21 Sveriges museum om Förintelsen*), Referral, 26 August 2020, available here

Government assignment regarding risks of discrimination on the housing market

In July 2020, the government assigned the National Board of Housing, Building and Planning (*Boverket*) with the task to analyse and assess risks of discrimination and obstacles for establishment in the housing market.⁸² The assignment includes:

- Analysis of how rental housings with or without protected tenancy are passed on, which kinds of requirements landlords put on their presumptive tenants, and how intermediation platforms handle requirement profiles. The analysis should also include the degree to which the intermediation affects the distribution of households between the ordinary and the secondary housing market.
- Analysis of the connection between establishment on the housing market and establishment on the labour market;
- Examine if the guidance on admission requirement for rental of housing that the Swedish Public Good (*Allmännyttan*) and the Property Owners (*Fastighetsägarna*) have developed has led to lower requirements on the tenants, and what the outcomes look like for property owners who have lowered their requirements;
- Highlight the situation for children in homelessness.

In the assignment, the National Board of Housing, Building and Planning shall consult with the Equality Ombudsman (*Diskrimineringsombudsmannen*), the Delegation against Segregation (*Delegationen mot segregation*) and the Ombudsman for Children (*Barnombudsmannen*). The assignment shall be presented to the government by 31 May 2021.

Government funds to the Sami Parliament in the light of a planned truth commission

In June 2020, the government allocated 1.2 million SEK (€115,310) to the Sami Parliament (*Sametinget*) to carry through an anchoring process (*förankringsprocess*) among the Sami people in the light of a forthcoming truth commission.⁸³ This groundwork among the Sami people is deemed necessary to create the right conditions for the truth commission's future work. The truth commission shall highlight the injustices that the Sami people have been exposed to throughout history and contribute to increased knowledge about this part of the

⁸² Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) Assignment to the National Board of Housing, Building and planning to analyse risks of discrimination and obstacles for establishment in the housing market (*Uppdrag till Boverket att analysera risker för diskriminering och hinder för etablering på bostadsmarknaden*), government assignment, 31 July 2020, available here

⁸³ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Ministry of Culture (*Kulturdepartementet*), The Sami Parliament gets state funding for an anchoring process before the forthcoming truth commission (*Sametinget får medel för en förankringsprocess inför kommande sanningskommission*), press release, 9 June 2020, available here

Swedish history. The Sami Parliament has previously demanded the establishment of a truth commission, which has been welcomed by the government.

County Administrative Board tasked with work against racism in the labour market

In July 2020, the government assigned the County Administrative Boards (*Länsstyrelserna*) to develop the work against racism in the labour market further.⁸⁴ The County Administrative Boards shall increase knowledge and awareness about racism, with a particular focus on Afrophobia and the limiting effects of norms on skin colour, among actors on the labour market. The assignment also includes proposing further measures aimed at combatting racism. The assignment includes all the County Administrative Boards, with a special focus on the big city areas (Stockholm, Gothenburg and Malmö). The assignment falls within the frames of the national plan against racism, related intolerance and hate crime that, as of 2016, lays as a ground for the government's work in the area. In the Budget Bill presented in September 2020, the government proposed that the plan should continue and be strengthened with an additional 10 million SEK (€961,200).⁸⁵ The government states that the plan has contributed to strategic, efficient and joined-up work in the area. The measures within the frames of the plan are considered to have generated increased knowledge about how racism appear in society, and in a targeted manner counteracted the different forms of racism and related forms of intolerance. However, challenges remain. For example, more knowledge is required on how national authorities and other public functions can work to counteract racism in their professional roles. This is important to ensure that newly acquired knowledge is converted into practical action.⁸⁶ Since the assignment was given to the County Administrative Boards in July 2020, the County Administrative Board of Stockholm that coordinates the assignment has started an inventory of the needs of all County Administrative Boards. The Board is also developing a digital training material that will be used during 2021, and has booked dialogue meetings with other important actors, such as the Swedish Public Employment Service (*Arbetsförmedlingen*), and the Living History Forum (*Forum för levande historia*). The County Administrative Board of Stockholm is also currently examining the practical possibilities to make a benchmark measurement of the level of knowledge among employees at the County Administrative Boards.⁸⁷

Minister for Gender Equality connects Swedish colonialism and racism against the Sami to the Black Lives Matter movement

⁸⁴ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Racism in the labour market shall be made visible and be counteracted (*Rasism på arbetsmarknaden ska synliggöras och motverkas*), press release, 2 July 2020, available here

⁸⁵ Sweden, Ministry of Finance (*Finansdepartementet*), Budget Bill for 2021 (*Budgetpropositionen för 2021*), government bill, 21 September 2020, available here

⁸⁶ Sweden, Ministry of Finance (*Finansdepartementet*) Budget Bill for 2021 (*Budgetpropositionen för 2021*), government bill, 21 September 2020, available here

⁸⁷ Sweden, County Administrative Board of Stockholm (*Länsstyrelsen Stockholm*), Data collected in writing through e-mail correspondence, 12 November 2020

In July 2020, the Minister for Gender Equality published a debate article in which she related to the Swedish history of colonialism and the racism against the Sami and national minorities and connected it to the Black Lives Matter movement in the USA.⁸⁸ She states that the events across the Atlantic had raised questions on whether racism exists in Sweden or not. She claims that it doubtlessly does and mentions a few measures that the government has taken to counteract racism. She says that the work that has been done is not enough and that no single action will erase racism altogether. Nevertheless, on a positive note, she states that many steps together can create real change and the change that she wants to see is the elimination of racism in Sweden.

Overrepresentation of persons born abroad among the persons deceased in covid-19

In April 2020, the overrepresentation of persons born abroad among persons infected with covid-19 and among persons who died of the virus became evident.⁸⁹ A disproportional representation of persons born in Somalia had died as of April 2020. At the time, persons from Somalia represented over 4.8 % of all cases, but less than 1 % of the population.⁹⁰ These figures have changed over time, and the latest compilation of data shows that the incidence of covid-19 is highest among persons born in Turkey (753 of 100,000) and Ethiopia (724 of 100,000) in comparison to persons born in Sweden (189 of 100,000). The mortality rate is highest among persons born in Finland (145 of 100,000) and Turkey (97 of 100,000), compared to persons born in Sweden (32 of 100,000).⁹¹

Report on the pandemic's effect on segregation

In July 2020, the Delegation against Segregation (*Delegationen mot Segregation, Delmos*) discussed the pandemic's impact on the segregation in Sweden in a report.⁹² The report states that the pandemic has highlighted that the differences between people are growing. Persons living in certain areas with socio-economic challenges have been affected harder by the infectivity of COVID-19, the report states. It becomes evident that people have different conditions to protect themselves against the virus - many socio-economic challenges are related to over crowdedness, and many people have jobs that do not allow to work from home. Aside from that, there may already be health challenges, and there was no access

⁸⁸ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), We will eradicate racism step by step (*Steg för steg ska vi utrota rasismen*), debate article, 2 July 2020, available here

⁸⁹ For more information on the overrepresentation of persons born abroad among the infected and diseased, please see page 18 of the Franet country study released on 25 May 2020, available here and page 15 of the Franet country study released on 29 July 2020, available here

⁹⁰ Sweden, Swedish Public Health Agency (*Folkhälsomyndigheten*), Weekly report on covid-19, week 15 (*Veckorapport om covid-19, vecka 15*), available here

⁹¹ Sweden, Swedish Public Health Agency (*Folkhälsomyndigheten*), Covid-19 – Demographic description of confirmed cases of covid-19 in Sweden 13 March – 7 May (*Covid-19 - Demografisk beskrivning av bekräftade covid-19 fall i Sverige 13 mars-7 maj*), available here

⁹² Sweden, Swedish Delegation against Segregation (*Delegationen mot segregation, Delmos*), The Corona pandemic's effect on the work against segregation (*Coronapandemins påverkan för arbetet mot segregation*), 3 July 2020, available here

to relevant information in different languages from the start.⁹³ Further, the report states that new analyses on the Government's long-term strategy to decrease and counteract segregation in the new situation due to covid-19 are required. It is essential that different actors can collaborate during the pandemic since different perspectives and bits of knowledge are needed.

Preliminary ruling from the Court of Justice on a court's refusal to try a discrimination case fully

In February 2020, the Equality Ombudsman asked the Supreme Court to request a preliminary ruling from the Court of Justice of the European Union in a case. The question is whether it is compatible with the EU law's protection against discrimination that a District Court dismisses a case without a trial when a person has been discriminated.⁹⁴ The Equality Ombudsman states that the man in a specific case have the right to get the issue of discrimination tried in court even after the responsible company has accepted to pay the so-called discrimination compensation fee to the person who experienced the discrimination. Consequently, the Equality Ombudsman has appealed the District Court's ruling to the Court of Appeal and further to the Supreme Court. The Supreme Court has, on the initiative of the Equality Ombudsman, asked for a preliminary ruling from the Court of Justice. The Equality Ombudsman states that the question is of great importance for efficient protection against discrimination in Sweden and the EU. The case concerns an airline company that discriminated a man because of his appearance made them consider him a foreign Arabic/Muslim passenger, and, as such, he was forced to undergo an extra security check. The Equality Ombudsman took the case to court, and the District Court decided that the airline company should pay the pleaded discrimination compensation fee, since the airline company had accepted to do so. However, the court never tried the main question of discrimination and the airline company never admitted that its actions had discriminated the man.⁹⁵

Reinforcement of the work against segregation

In the Budget Bill for 2021, the government concludes that the work against socio-economic segregation must continue and that the work has become even more relevant during the pandemic with its humanitarian and economic consequences.⁹⁶ No single measure or actor will turn the negative development with increased socio-economic segregation. Therefore, the government proposes a reinforcement of the work by allocating resources for social measures in socio-economically

⁹³ For more information on the socio-economic situation in relation to COVID-19, please see page 18-21 of the Franet country study released on 25 May March 2020, available here

⁹⁴ Sweden, Swedish Equality Ombudsman (*Diskrimineringsombudsmannen*) A preliminary ruling that may bring about a more efficient protection against discrimination (*Ett förhandsavgörande som kan medföra ett effektivare skydd mot diskriminering*), 11 February 2020, available here

⁹⁵ Sweden, Swedish Equality Ombudsman (*Diskrimineringsombudsmannen*) A preliminary ruling that may bring about a more efficient protection against discrimination (*Ett förhandsavgörande som kan medföra ett effektivare skydd mot diskriminering*), 11 February 2020, available here

⁹⁶ Sweden, Ministry of Finance (*Finansdepartementet*) (2020) Budget Bill for 2021 (*Budgetpropositionen för 2021*), Government Bill, 21 September 2020, available here

vulnerable areas, with the aim to counteract and reduce segregation. Thus, the expenditure area Measures against segregation (*Åtgärder mot segregation*) is allocated an additional 250 million SEK (€24 million) annually between 2021 and 2023.⁹⁷

The establishment of a national institute for human rights

In the Budget Bill, the government proposed the establishment of a national human rights institution in the form of an institute for human rights.⁹⁸ In the press release, the government states a coherent structure is required to reassure full respect for Sweden's international duties on human rights and promote and protect human rights in Sweden. The proposed institute for human rights will be an essential part of this structure. The institute shall be assigned with the task to support the promotion and the safeguarding of human rights (*främja säkerställandet av de mänskliga rättigheterna*). The institute shall investigate and report on how human rights are respected and implemented in Sweden. A broad parliamentary anchoring process concerning the specific legislation and regulations of the new institute shall precede the reform. The proposal is that 25 million SEK (€2.4 million) will be allocated for the establishment of the institute in 2021. After that, the government estimates that 50 million SEK (€4.8 million) will be allocated to the institute annually. The institute is proposed to be established in 2021.

2. Legal and policy developments relating to the application of the Framework Decision on Racism and Xenophobia relevant to combating hate speech and hate crime

Government assignment to review antisemitism in social media

In February 2020, the Swedish Defence Research Agency (*Totalförsvarets forskningsinstitut, FOI*) was assigned 0.5 million SEK (€48,000) to develop a report on antisemitism in social media and other digital environments. The report forms part of the authority's assignment to review and analyse violent extremist propaganda that is spread on the internet and social media.⁹⁹

Government assignment to prepare information against online hatred

In June 2020, the government assigned the Swedish Crime Victim Authority (*Brottsoffermyndigheten*) to prepare an informational measure against online hatred related to democratic participation. The purpose is to prevent and counteract the presence of online hatred in the democratic debate and to

⁹⁷ Sweden, Ministry of Finance (*Finansdepartementet*) (2020) Budget Bill for 2021 (*Budgetpropositionen för 2021*), Government Bill, 21 September 2020, available here

⁹⁸ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), The establishment of an institute for human rights is proposed (*Ett institut för mänskliga rättigheter föreslås inrättas*), press release, 21 September 2020, available here

⁹⁹ Sweden, Ministry of Education (*Utbildningsdepartementet*), Ministry of Culture (*Kulturdepartementet*) (2020) National effort to increase knowledge about the Holocaust and antisemitism (*Nationell satsning ska öka kunskaperna om Förintelsen och antisemitism*), press release, 28 February 2020, available here

contribute to support those who risk being vulnerable to online hatred.¹⁰⁰ The authority shall analyse which the needs are and propose how an informational measure that reaches a broad public can be designed and performed in 2021. The assignment shall be submitted to the Government in the form of a report and financial declaration by 30 April 2021.

Government assignment to disseminate information material aimed persons subjected to hatred

In March 2020, the government assigned the Swedish Crime Victim Authority (*Brottsoffermyndigheten*) to disseminate the information material¹⁰¹ that the authority developed to support persons who are vulnerable to or risk being vulnerable to threats and hatred in the public debate. The assignment aims to increase knowledge about the material, and the usage of it, between both persons who are vulnerable to crime and those who support them.

Planning of International Forum on Holocaust Remembrance

In January 2020, the Swedish Prime Minister extended an invitation to heads of state and government, researchers, experts, and civil society representatives from around 50 countries to participate in the Malmö International Forum on Holocaust Remembrance and Combating Antisemitism in October 2020. The purpose of the Forum is to take jointly concrete steps forward in the work on Holocaust remembrance and the fight against antisemitism. The Forum was to take place in October 2020, 75 years after the end of the Second World War and the liberation of Auschwitz-Birkenau. The year 2020 also marks 20 years since the first Stockholm International Forum on the Holocaust was held, and the establishment of the International Holocaust Remembrance Alliance (IHRA). Due to the circumstances of the current pandemic, the Prime Minister has announced that the Malmö International Forum on Holocaust Remembrance and Combating Antisemitism has been postponed to 2021. The invitation still stands, and the Forum in Malmö will instead take place in Malmö on 13–14 October 2021.¹⁰²

Allocation aimed at increasing the general knowledge of antisemitism and the Holocaust

In connection to the Forum, the government allocated 10 million SEK (€ 969,440) to a national measure to increase knowledge on antisemitism and the Holocaust. Four assignments are included in the measure: In April 2021, the government assigned the Living History Forum (*Forum för levande historia*) with the task to

¹⁰⁰ Sweden, Ministry of Culture (*Kulturdepartementet*), Assignment to the Crime Victim Authority to prepare an informational measure against online hatred (*Uppdrag till Brottsoffermyndigheten att förbereda en informationsinsats mot näthat*), government assignment, 29 June 2020, available here

¹⁰¹ Swedish Crime Victim Authority (*Brottsoffermyndigheten*), Do not fall silent! (*Tystna inte!*), available here

¹⁰² Sweden, Prime Minister's Office (*Statsrådsberedningen*), Ministry of Education (*Utbildningsdepartementet*), Malmö International Forum on Holocaust Remembrance and Combating Antisemitism is postponed a year (*Malmö internationella forum för hågkomst av Förintelsen och bekämpande av antisemitism skjuts fram ett år*), press release, 6 May 2020, available here

support different professions to strengthen their work against racism and related forms of intolerance.¹⁰³ The authority shall:

- develop and conduct adapted trainings to counteract racism, based on different profession's specific needs.
- develop and perform trainings with the focus to quality proof the public service's treatment of the public through work against racism
- to follow up the long-term effects of the authority's trainings on racism throughout history and today.

The target group for the measures are relevant professionals who, in their public role, either work with issues concerning racism and related intolerance or who meet individuals in need of further knowledge. The assignment also includes developing and being responsible for a broader authority network against racism and related forms of intolerance and hate crime.¹⁰⁴ According to the government, exposure to racism affects both individuals and social cohesion in general, among other things through a reduced trust in public authorities. Consequently, the public authorities must improve the quality of their treatment of persons who tend to be victims of racism. The Forum for Living History will support the authorities in their efforts to ensure the quality of their treatment. Even though the support focuses on education of different professional groups especially those who exercise public powers, the formation of a network of public authorities working against racism is considered an important factor that emphasises the public sector's common responsibility for ensuring equality and non-discrimination.¹⁰⁵ The project shall be submitted to the government by 15 April 2021.

The government has adopted a number of measures to combat antisemitism and increase security that have been implemented and are ongoing. These measures are being carried out both by the government and by government agencies on behalf of the government. Of key importance to these efforts is the involvement of the Jewish national minority in the issues that concern it, for example through regular consultation within the context of Sweden's minorities policy and in implementation of the national plan to combat racism, similar forms of hostility

¹⁰³ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Assignment to the Living History Forum to perform educational measures within the frames of the national plan against racism, related forms of intolerance and hate crime (*Uppdrag till Forum för levande historia att genomföra utbildningsinsatser inom ramen för den nationella planen mot rasism, liknande former av fientlighet och hatbrott*), Government Assignment, 27 April 2020, available here

¹⁰⁴ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Assignment to the Living History Forum to perform educational measures within the frames of the national plan against racism, related forms of intolerance and hate crime (*Uppdrag till Forum för levande historia att genomföra utbildningsinsatser inom ramen för den nationella planen mot rasism, liknande former av fientlighet och hatbrott*), Government Assignment, 27 April 2020, available here

¹⁰⁵ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Assignment to the Living History Forum to perform educational measures within the frames of the national plan against racism, related forms of intolerance and hate crime (*Uppdrag till Forum för levande historia att genomföra utbildningsinsatser inom ramen för den nationella planen mot rasism, liknande former av fientlighet och hatbrott*), Government Assignment, 27 April 2020, available here

and hate crime. Dialogue with Jewish organisations is also conducted on specific issues such as security enhancing measures, interreligious cooperation and the Malmö International Forum on Holocaust Remembrance and Combating Antisemitism.

Several of the measures are being carried out within the context of the national plan against racism, similar forms of hostility and hate crime, which the Government adopted in 2016.¹⁰⁶

Government assignment to conduct an in-depth study of Afrophobic hate crimes

17 December 2020, the government instructed the Crime Prevention Council (*Brottsförebyggande rådet, Brå*) to conduct an in-depth study of Afrophobic hate crimes.¹⁰⁷ In its in-depth study, Brå will focus on the nature of Afrophobic hate crimes in order to strengthen the government's preventive work against racism and especially Afrophobia. In carrying out the assignment, the authority shall acquire knowledge and experience from relevant civil society organizations and public authorities. The assignment must be reported to the government no later than 25 November 2022. Brå receives 1,750,000 SEK (€172,700) to carry out the assignment.¹⁰⁸

Proposed changes in Sweden's minority policy

In May 2020, a special inquirer appointed by the government presented a report proposing new ways of organising the coordination, development, and monitoring of Sweden's minority policy.¹⁰⁹ The report suggested that the existing goals for the minority politics should be replaced by four sub-goals – the first being freedom from discrimination and other negative treatment. Persons who belong to any of the five national minorities shall be able to express their cultural identity without fear of discrimination, hate crime and other forms of negative treatment in all situations and contexts. Within the Jewish minority, the fear of being subjected to crimes may lead to persons avoiding social or religious events. Blatant racism and hate crimes directed towards the Sami have followed a ruling in the Supreme Court in the so-called Girjas case concerning the fishing and hunting rights in a certain

¹⁰⁶ Sweden, Government Offices (*Statsrådsberedningen*) (2020) Measures to combat antisemitism and increase security, 26 June 2020, [available here](#)

¹⁰⁷ Sweden, Ministry of Justice and Ministry of Employment (*Justitiedepartementet och Arbetsmarknadsdepartementet*), The Crime Prevention Council is tasked with studying Afrophobic hate crimes. (*Brå får i uppdrag att studera afroforbiska hatbrott*), 17 December 2020, [available here](#)

¹⁰⁸ Sweden, Ministry of Justice and Ministry of Employment (*Justitiedepartementet och Arbetsmarknadsdepartementet*), The Crime Prevention Council is tasked with studying Afrophobic hate crimes. (*Brå får i uppdrag att studera afroforbiska hatbrott*), 17 December 2020, [available here](#)

¹⁰⁹ Sweden, Ministry of Culture (*Kulturdepartementet*), A higher gear in the minority politics – Strengthened coordination and monitoring (*Högre växel i minoritetspolitiken - Stärkt samordning och uppföljning*) Public Inquiry SOU 2020:27, 8 May 2020, [available here](#)

area.¹¹⁰ The inquirer's report states that in order to reach the sub-goal of freedom from discrimination and other negative treatment, crime preventing measures and sanctions against different forms of discrimination are not enough. Another important aspect is the public ideas and attitudes towards the minorities. Thus, it is central to raise the knowledge and awareness in the general public and support and promote the national minorities and their cultures.

Study on the Sami youths' experience of racism and harassment after the Girjas ruling

The ruling in the Girjas case is based on a prescription from time immemorial, stresses Sweden's international obligations to the Sami population, and is considered a step towards for strengthened protection of the Sami population's rights. In the ruling, the Supreme Court established that the Sami village Girjas has the exclusive right to decide if others are allowed to hunt and fish in the Sami village's area - not the state.¹¹¹ However, the local public reactions on the case include the bullying of Sami children in school, and threats on violence and insults in social media. Cruelty to reindeers has also occurred – there have been several instances where reindeers have been tormented to death. While civil society organisations¹¹² and the County Governor (*landshövdingen*)¹¹³ have condemned these acts, there is no overall compilation of the threats and hate that have affected the Sami population in the wake of the Girjas case and no plans to conduct such a compilation, on behalf of the government.¹¹⁴ The Swedish Sami's National Association (*Svenska Samernas Riksförbund, SSR*) has worked with a project aimed at mapping and raise the visibility of how hate crime and racism affect youths working with reindeer husbandry. The project has been funded by the Swedish Agency for Youth and Civil Society (*Myndigheten för ungdoms- och civilsamhällesfrågor*) and has resulted in an interview-based report.¹¹⁵ According to the report, there is a great need to make these problems more visible, and continuous targeted measures aimed both at the public and the reindeer husbands will be necessary. The unreported cases of affected persons are significant,

¹¹⁰ Sweden, Swedish National Television (*Sveriges Television, SVT*) The County Governor after the Girjas ruling: "All forms of racism and threats are unacceptable" (*Landshövdingen efter Girjasdomen: "Alla former av rasism och hot är oacceptabelt"*), 4 February 2020, available here

¹¹¹ Sweden, Sweden's Courts (*Sveriges Domstolar*), Sami village Girjas – but not the state – have the right to grant small wild game hunt and fishing rights in the Sami village's area above the cultivation limit (*Girjas sameby – men inte staten – har rätt att upplåta småviltsjakt och fiske på samebyns byområde ovanför odlingsgränsen*), press release, 23 January 2020, available here

¹¹² Sweden, Civil Rights Defenders, Civil Rights Defenders condemn increased racism and violence against the Sami after the Girjas ruling (*Civil Rights Defenders fördömer ökad rasism och våld mot samer efter Girjasdomen*), 13 March 2020, available here

¹¹³ Sweden, Swedish National Television (*Sveriges Television, SVT*) The County Governor after the Girjas ruling: "All forms of racism and threats are unacceptable" (*Landshövdingen efter Girjasdomen: "Alla former av rasism och hot är oacceptabelt"*), 4 February 2020, available here

¹¹⁴ Sweden, Swedish Sami Parliament (*Sametinget*), data collected in writing through email correspondence, 14 September 2020

¹¹⁵ Sweden, Swedish Sami's National Association (*Svenska Samernas Riksförbund, SSR*), Racism and hate crime against young reindeer husbands in Sweden (*Rasism och hatbrott mot unga renskötare i Sverige*), available here

because many reindeer husbands do not consider their treatment criminal. Many instances that should have been reported to the police are seen as everyday events, something you just have to put up with. Overall, the report concludes that it is difficult to get an overview of all hate crimes directed against the Sami. Many of these crimes are volume crimes, damage, thefts, and similar occurrences, and these are rarely investigated as hate crimes. Many comments, insults, and violations that occur are directed towards entire Sami villages (The economic and administrative reindeer husbandry union) and not towards individuals. This makes it difficult to define which acts are expressions of racism, online hatred, agitation against an ethnic group, and which are to be regarded as inappropriate comments. The knowledge of what racism and hate crime are and must increase in order to prevent these crimes. With more police reports, the need for resources and measures will become more visible.¹¹⁶ The Swedish Sami's national Association have also developed a guiding document including a checklist for persons who have been vulnerable to and want to report crimes that happen online, on social media or similar.¹¹⁷ The document defines hate crime, racism, agitation against an ethnic or national group, online hatred, explains why it is important to report to the Police, and clarifies in what instances the freedom of speech is ruling.

Government assignment on Roma children and youth who are subjected to anti-Gypsyism

Related to the topic of national minorities, in May 2020, the government assigned the County Administrative Board of Stockholm (*Länsstyrelsen i Stockholms län*) to increase the knowledge on how Roma children and youths are subjected to anti-gypsyism today.¹¹⁸ For more information about this government assignment, see chapter 3.

Swedish Police's raised ambitions in relation to hate crimes

The government concludes that the Swedish Police (*Polisen*) has raised its ambition level in relation to hate crimes.¹¹⁹ In 2019, the government assigned to the authority to take measures against racism, hate crime, and other crimes that

¹¹⁶ Sweden, Swedish Sami's National Association (*Svenska Samernas Riksförbund, SSR*), Racism and hate crime against young reindeer husbands in Sweden (*Rasism och hatbrott mot unga renskötare i Sverige*), available here

¹¹⁷ Sweden, Swedish Sami's National Association (*Svenska Samernas Riksförbund, SSR*), Hate crime, racism and online hatred (*Hatbrott, rasism och näthat*), available here

¹¹⁸ Sweden, Ministry of Labour (*Arbetsmarknadsdepartementet*), Assignment to the County Administrative Board of Stockholm to increase the knowledge about Roma children and youth who are subjected to anti-gypsyism (*Uppdrag till Länsstyrelsen i Stockholms län att öka kunskapen om romska barns och ungas utsatthet för antiziganism*), Government assignment, 19 May 2020, available here

¹¹⁹ Sweden, Government Offices (*Statsrådsberedningen*), Measures against racism, related forms of intolerance and hate crime (*Insatser mot rasism, liknande former av fientlighet och hatbrott*), 25 June 2020, available here

threaten democracy by developing and spreading different educational materials. The assignment continuous throughout 2020.¹²⁰

Cooperation aimed at increasing crime victims' trust in the Police

As part of the assignment, the Police runs a project together with the Victim Support Sweden (*Brottsofferjouren*), called Swevic, which is partly financed by the European Commission. The project aims to increase the trust of the Police among groups subjected to hate crime. Aside from the public measures, the Police have also made knowledge increasing measures within the own organisation and developed an online training on hate crime that is available for the Police and the Victim Support Sweden's internal usage. In September, a campaign was launched directed to the public, and another targeted campaign on social media, in which ads will lead the person who clicks them to the Victim Support Sweden's webpage. The launches aim to get people to become aware of the Victim Support Sweden's activities and turn to them to a higher degree than today, and in the end, increase the reports of hate crime to the Police.¹²¹ The Swevic project will end in December 2020, and thereafter, a concluding report will be produced. During the year, the project has performed a number of activities, among these produced a booklet for Police and crime victim supporters on hate crime, coordinated lectures for Police and crime victim supporters on vulnerable groups within the frames of increased cultural competence and arranged two live-chats on the Police's Facebook and Instagram about hate crimes. It is difficult to ascertain whether police reports and contacts with the Crime Victim Support concerning hate crimes in particular have increased, but the project reports on increased knowledge and competence within both concerned organisations, and that there has been a great interest in learning more on these issues.¹²² Before the launching of the ad, a market investigation was made, that showed that there are significant numbers of unreported cases in the occurrence of hate crime. The research also showed that the public, in general, knows truly little about the Police Authority and the Victim Support Sweden and what hate crimes are. The study shows that so many as 1 in 10 have been exposed to hate crimes.¹²³

Government assignment to increase knowledge about security for Muslim congregations and mosques

As reported in the annual report of 2019, the Swedish Agency for Support to Faith Communities (*Myndigheten för stöd till trossamfund, SST*) was tasked with increasing the knowledge about security for mosques and Muslim congregations, and concerned actor's vulnerability to islamophobia and hate crime. This

¹²⁰ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Assignment to take measures against racism, hate crime and other crimes that threaten the democracy (*Uppdrag att vidta åtgärder mot rasism, hatbrott och andra brott som hotar demokratin*), government assignment, 7 October 2019, available here

¹²¹ Sweden, Swedish Police (*Polisen*), Data collected through telephone interview, 10 September 2020

¹²² Sweden, Crime Victim Support Sweden (*Brottsofferjouren*) Data collected in writing through e-mail correspondence, 18 November 2020

¹²³ Sweden, Swedish Police (*Polisen*), One out of ten subjected to hate crimes (*En av tio utsatt för hatbrott*), News article, 4 September 2020, available here

government assignment includes the strengthening of the relationships between Muslim congregations, Muslim organisations, municipalities and affected authorities. The authority shall also cooperate with the Swedish Police and other concerned authorities and apply a gender equality perspective in its work. The assignment shall be presented to the government by 1 March 2021.¹²⁴

Report on the security of mosques and Muslims

The Swedish Defence University (*Försvvarshögskolan*) also highlighted the security of mosques and Muslims in a new report. According to the report, there is a great risk for further violent attacks against Muslims and immigrants, committed by radical-nationalist perpetrators.¹²⁵ The study states that the frequency of radical nationalist lone-actor attacks draws attention to the need to strengthen the security and protection of Muslims, Jews, and other minorities. For example, the physical safety in and of mosques, synagogues, or other meeting points should be reviewed and heightened.

Report on the extreme right's approach to the Corona crisis

The anti-racist foundation Expo has also published an analysis of the extreme right's approach to the crisis following covid-19 during the first half of 2020, and how it interacts with racist rumours, conspiracy theories and disinformation in the tracks of the pandemic.¹²⁶ The study states that the news that swedes with Somali background have been heavily affected by the virus that causes covid-19 have activated waves of mockery, insulting comments, and malicious delight in Swedish extreme right media channels. The study also finds that since January, waves of violent assaults, abusive behaviour, discrimination, and agitation have affected persons who are perceived as of Eastern Asian descent, also in Sweden.¹²⁷ The warning from World Health Organisation to call the virus things like "the China virus", in order to not stigmatise a country or a specific group, this did not stop the party leader for the Sweden Democrats to do so in a debate article published in April.¹²⁸ Overall, the study concludes that racism, conspiracy theories and the spread of disinformation have increased in the tracks of the covid-19 pandemic, but that the radical nationalist parties, including the Sweden Democrats, have had difficulties making themselves relevant during the crisis.¹²⁹

¹²⁴ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Assignment to increase the knowledge on the security of mosques and Muslim congregations (*Uppdrag att höja kunskapen om säkerhet för moskéer och muslimska församlingar*), government assignment, 24 June 2019, available here

¹²⁵ Sweden, Swedish Defence Research Agency (*Försvvarshögskolan*), From the Nordic Resistance Movement to the Alternative Right – a Study of Radical Nationalistic Environments in Sweden (*Från Nordiska motståndsrörelsen till alternativhögern En studie om den svenska radikalnationalistiska miljön*), available here

¹²⁶ Sweden, Expo (2020) "A Tsunami of Hatred" – Racism, conspiracy theories and disinformation in the tracks of the corona crisis (*"En tsunami av hat" – Rasism, konspirationsteorier och disinformation i coronakrisens spår*), available here

¹²⁷ For more information on the instances of racism affecting persons of perceived Eastern Asian background, please see page 17 of the Franet country study released on 29 July 2020, available here

¹²⁸ Sweden, Åkesson, J. (2020) "SD: Move tax money from the state out in the country" in *Svenska Dagbladet*, "SD: Flytta skattepengar från staten ut i landet", debate article, 27 April 2020, available here

¹²⁹ For more information on the instances of racism and xenophobia in relation to covid-19, please see page 12 of the Franet country study released on 23 March 2020, available here

Analysis on support to persons who have been subjected to hate crimes

In January 2020, the National Council for Crime Prevention (*Brottsförebyggande rådet, BRÅ*) published a short analysis on hate crimes the extent to which persons who have been subjected to hate crimes get the support that they consider themselves to need.¹³⁰ The study concludes that the persons in question need support in a much higher degree than is the case today – only in 9 % of the cases, the victims had been offered help from some civil society organisation. The study includes persons claim they have been subjected to threats, assault, or robbery with hate crime motives, of a xenophobic, homophobic, or anti-religious nature.

The Police admits to problems with structural racism

In October 2020, a newspaper interview with a human resources manager within the Swedish Police maintained that that ethnic and racial profiling exist within the authority.¹³¹ The manager also claimed that the authority do not consider such profiling to be a structural problem, but rather believes it to be a series of individual mistakes. The Swedish Police is currently working actively with questions like leadership and equal treatment in workshop forms, with the 150 main directors within the authority. All employees within the authority will also receive training in ethics and equal treatment during 2021. This work was intensified after the publishing of a review of the culture within Swedish Police in 2019.¹³²

Analysis of anti-Semitism in social media

In October, the Swedish Defence Research Agency (*Totalförsvarets Forskningsinstitut*) published a report on antisemitism within the media.¹³³ The agency has performed a databased study of around 2.5 million online posts about Jews or Jewishness on a number of online platforms during a six-month period in 2019. The analysis of the data show that nearly 25 % of the posts contained Antisemitic stereotypes and additional nine per cent contained no stereotyping but still expressed hostility towards Jews. The study is part of the research and analysis that has been carried out as a part of the government assignment given to the Swedish Defence Research Agency to map out and analyse antisemitism in digital environments.¹³⁴

¹³⁰ Sweden, Swedish National Council for Crime Prevention (*Brottsförebyggande rådet, BRÅ*) (2020) Support to victims of hate crime (*Stöd till hatbrottsutsatta*), available here

¹³¹ Sweden, Aftonbladet (daily newspaper), 'The Police on racial profiling: must improve' (*Polisen om rasprofilering: Måste bli bättre*), newspaper article, 19 October 2020, [available here](#)

¹³² Sweden, Swedish Police (*Polismyndigheten*) (2019) Review of the Police Authority's culture (*Granskning av Polismyndighetens kultur*), 25 February, [available here](#)

¹³³ Sweden, Swedish Defence Research Agency (*Totalförsvarets forskningsinstitut*) (2020) Antisemitic stereotypes in social media (*Antisemitiska stereotyper i sociala medier*), 6 October 2020, [available here](#)

¹³⁴ Sweden, Ministry of Culture (*Kulturdepartementet*), Ministry of Education and Research (*Utbildningsdepartementet*) (2020) National effort to increase knowledge on the Holocaust and anti-Semitism (*Nationell satsning ska öka kunskaperna om Förintelsen och antisemitism*), press release, 28 February 2020, [available here](#)

Chapter 3. Roma equality and inclusion

1. Legal, policy developments in regards to Roma/Travellers in regards to the application of the [EU Framework on national Roma integration strategies](#)

Proposed Holocaust remembrance museum to include the Holocaust of the Roma

As mentioned in more detail in chapter 2, a public inquiry proposing the establishment of a Holocaust remembrance museum in Sweden was presented in April 2020.¹³⁵ The inquiry also mentions the Holocaust of the Roma and explicitly addresses the need to make the Roma experiences of the Holocaust more visible and develop more knowledge about this area. Consequently, one of the inquiry's proposals was to give the suggested museum a special assignment to work with an of and documentation of Roma testimonies from Roma persons in Sweden. The project should also look over the needs and possibilities to collect or otherwise make material from other European countries accessible that focus on the Roma people's experiences of the Holocaust.¹³⁶

Annual report on the national strategy for Roma inclusion

In April 2020, the County Administrative Board of Stockholm (*Länsstyrelsen Stockholm*) released its annual report on Roma inclusion.¹³⁷ The authority is responsible for the coordination and monitoring of the long-term strategy for Roma inclusion. Five so-called development municipalities (*utvecklingskommuner*) have received state funding to develop the work with Roma inclusion at local level since 2016. During 2020, this funding ended. According to the report, the authority notes that this may affect the municipalities' capacity to keep up their work for Roma rights. The work that has been done has been important. However, measures in the municipalities and authorities with special assignments related to Roma inclusion have been limited, in terms of both time and resources. The report concludes that to meet the goals of the national strategy for Roma inclusion, both the local and the national work for Roma inclusion must shift up a gear. Furthermore, more actors need to become involved. To accomplish real differences in the living conditions of the Roma, the County Administrative Board of Stockholm proposes a long-term government grant for municipalities' work with Roma inclusion.

Proposal to move the responsibility for the national minority policy to the Language Council of Sweden

¹³⁵ Sweden, Ministry of Culture (*Kulturdepartementet*) (2020) Sweden's museum on the Holocaust (*Sveriges museum om Förintelsen SOU 2020:21*), Public Inquiry, 15 April 2020, available here

¹³⁶ Sweden, Ministry of Culture (*Kulturdepartementet*) (2020) Sweden's museum on the Holocaust (*Sveriges museum om Förintelsen SOU 2020:21*), Public Inquiry, 15 April 2020, available here

¹³⁷ Sweden, County Administrative Board of Stockholm (*Länsstyrelsen Stockholm*) (2020) Roma Inclusion – Annual report 2019 (*Romsk inkludering – Årsrapport 2019*), available here

As mentioned in chapter 2, a public inquiry presented its report on the national organisation of minority policy in May 2020.¹³⁸ Among other things, the inquiry proposes that the responsibility for the coordination and monitoring of all measures for the national minorities and the minority languages, including the Roma, shall be moved from the County Administrative Board of Stockholm (*Länsstyrelsen Stockholm*), to the Language Council of Sweden (*Institutet för språk och folkminnen*). Please note that the County Administrative Board of Stockholm currently shares this responsibility with the Sami Parliament (*Sametinget*) but the inquiry does not propose that the assignment should be moved from the Sami Parliament. A possible reason for this may be that the municipalities often need more precise guidance in their work with Roma inclusion – something that the County Administrative Board cannot provide since the authority lacks the regulatory mandate (*föreskriftsrätt*).¹³⁹ The County Administrative Board of Stockholm were given the assignment in 2010 and the budget has been constant and estimated to about 3–4 million SEK (€286,005–381,340) annually since then. However, with 10 years of inflation the value of the budget has decreased, which means that the authority mainly can support short and small projects.¹⁴⁰ This is also highlighted in the public inquiry – the area of minority politics in Sweden needs more resources. The public inquiry has been sent out for referral, and the last day to submit the referral is 1 October 2020.

Government assignment on Roma children and youth who are subjected to anti-gypsyism

As was briefly mentioned in chapter 2, the government assigned the County Administrative Board of Stockholm (*Länsstyrelsen i Stockholms län*) to increase the knowledge on how Roma children and youths are subjected to anti-gypsyism today in May 2020.¹⁴¹ The assignment also includes organising information measures on both local and national levels, which gather Roma children and youths, highlighting the question among relevant actors, and submitting proposals of further measures to counteract Roma children and youth being subjected to anti-gypsyism. The authority shall carry out the assignment in close collaboration with Roma representatives, including young Roma persons, and apply a gender equality perspective to their work. The assignment includes consultations with the Ombudsman for Children (*Barnombudsmannen*) and the Living History Forum

¹³⁸ Sweden, Ministry of Culture (*Kulturdepartementet*) (2020) A higher gear in minority politics – Strengthened coordination and monitoring (*Högre växel i minoritetspolitiken - Stärkt samordning och uppföljning SOU 2020:27*), Public Inquiry, 8 May 2020, available here

¹³⁹ Sweden, Country Administrative Board of Stockholm (*Länsstyrelsen Stockholm*) Data collected through telephone interview with a development manager, 20 August 2020

¹⁴⁰ Sweden, Country Administrative Board of Stockholm (*Länsstyrelsen Stockholm*) Data collected through telephone interview with a development manager, 20 August 2020

¹⁴¹ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Assignment to the County Administrative Board of Stockholm to increase the knowledge about Roma children and youth's vulnerability to anti-gypsyism (*Uppdrag till Länsstyrelsen i Stockholms län att öka kunskapen om romska barns och ungas utsatthet för antiziganism*), government assignment, 19 May 2020, available here

(*Forum för levande historia*).¹⁴² The assignment shall be submitted to the Government by 15 September 2021.

New version of online education on equal treatment of Roma persons on the housing market

In June 2020, the National Board of Housing, Building and Planning (*Boverket*) launched a new version of their online education called 'Equal treatment of Roma persons on the housing market', available for everyone.¹⁴³ Housing companies and property owners are also offered to get the training led by Roma educators. The training then takes place in the offices of the company.

Extra resources to minority policy measures

In July 2020, the Ministry of Culture declared that Sweden's minority policy should be strengthened by an allocation of extra resources.¹⁴⁴ Four million SEK (€384,290) has been redistributed and earmarked for minority language enhancing measures, increased dissemination of existing knowledge and to national organisations representing the national minorities. The funding is split evenly among these organisations.¹⁴⁵

Publication gathering examples of Roma inclusion measures at local level

The County Administrative Board of Stockholm has also published a leaflet that compiles experiences and examples from municipalities that have received state funding to work with Roma inclusion, according to the government's long-term strategy.¹⁴⁶ The models presented follow the six thematic sub-areas of the strategy: education, work, housing, health and social care and security, culture and language and civil organisation. The hope is that the publication will inspire other municipalities to initiate work on Roma inclusion. According to an interviewee,¹⁴⁷ the publications mentioned in the chapter are the only activities the authority has carried out in relation to the Strategy for Roma Inclusion during 2020. This is partly due to the pandemic that led to the cancelling of some planned activities, but also due to decreases in funding.

¹⁴² Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Assignment to the County Administrative Board of Stockholm to increase the knowledge about Roma children and youth who are subjected to anti-gypsyism (*Uppdrag till Länsstyrelsen i Stockholms län att öka kunskapen om romska barns och ungas utsatthet för antiziganism*), Government assignment, 19 May 2020, available here

¹⁴³ Sweden, National Board of Housing, Building and Planning (*Boverket*) Updated online training on equal treatment of Roma persons (*Uppdaterad webbutbildning om likabehandling av romer*), 17 June 2020, available here

¹⁴⁴ Sweden, Ministry of Culture (*Kulturdepartementet*), The work for the national minorities is strengthened (*Arbetet för de nationella minoriteternas rättigheter stärks*), press release, 23 July 2020, available here

¹⁴⁵ Sweden, Ministry of Culture (*Kulturdepartementet*) (2020) The work for the national minorities is strengthened (*Arbetet för de nationella minoriteternas rättigheter stärks*), press release, 23 July 2020, available here

¹⁴⁶ Sweden, County Administrative Board of Stockholm (*Länsstyrelsen Stockholm*) (2020) Roma inclusion in practice – Experiences and examples from municipalities that have been granted government grants to work with Roma inclusion (*Romsk inkludering i praktiken – Erfarenheter och exempel från kommuner som har fått statsbidrag för arbete med romsk inkludering*), available here

¹⁴⁷ Sweden, County Administrative Board of Stockholm (*Länsstyrelsen Stockholm*) Data collected through telephone interview with a development manager, 20 August 2020

The government states that more work is needed to ensure equal rights for the Roma but does not increase the budget post

In the budget bill, the government concludes that the municipalities and regions that are granted state funding to work with Roma inclusion have reached further than other municipalities when it comes to reassuring the rights of the national minorities.¹⁴⁸ Much work remains in order to reach the government's long-term goals for Roma inclusion. Especially since authorities' reports show that discrimination against Roma persons occurs in several of the strategy's areas, for example on the labour market and housing market. However, the government did not increase the budget post aimed at measures for the national minority Roma. Accordingly, the sum remains the same as in the 2020 budget – 1,500 000 SEK (€144,180).¹⁴⁹

1. Policy and legal measures and developments directly or indirectly addressing Roma/Travellers inclusion

Report on work to increase the knowledge about the Roma in the Swedish schools

In February 2020, the Swedish National Agency for Education (*Skolverket*) published its concluding report¹⁵⁰ of a government assignment to increase the knowledge about the Roma in the Swedish schools.¹⁵¹ The report summarises the authority's work with the assignment and notes that it has been challenging to develop particular measures in collaboration with the chosen municipalities. Such working methods require that all parties have the necessary time, engagement and resources. Furthermore, it has been very time-consuming to initiate the working method. Some parts of the offered training did not get enough participants. One possible reason for this mentioned in the report is that the school principals lack the conditions to prioritise Roma inclusion. Additionally, this measure competes with other competence development measures offered by the National Agency for Education.¹⁵²

Report on improving conditions for Roma persons and organisations to engage in civil society

¹⁴⁸ Sweden, Ministry of Finance (*Finansdepartementet*) (2020) Budget Proposal for 2021 (*Budgetpropositionen för 2021*), government bill, 21 September 2020, available here

¹⁴⁹ Sweden, Ministry of Finance (*Finansdepartementet*) (2020) Budget Proposal for 2021, Expenditure Area 1 – the Governance of the Kingdom (*Utgiftsområde 1 – Rikets styrelse*), pp. 99, available here

¹⁵⁰ Sweden, Swedish National Agency for Education (*Skolverket*), Assignment to increase the knowledge about the Roma (*Uppdrag att öka kunskapen om romer*), available here

¹⁵¹ Sweden, Ministry of Culture (*Kulturdepartementet*), Assignment to the Swedish National Agency for Education on measures to increase the knowledge in the schools on the national minority Roma (*Uppdrag till Statens skolverk om insatser för att öka kunskapen i skolan om den nationella minoriteten romer*), 30 June 2016, available here

¹⁵² Sweden, Ministry of Culture (*Kulturdepartementet*), Assignment to the Swedish National Agency for Education on measures to increase the knowledge in the schools on the national minority Roma (*Uppdrag till Statens skolverk om insatser för att öka kunskapen i skolan om den nationella minoriteten romer*), 30 June 2016, available here

In March 2020, the Swedish Agency for Youth and Civil Society (*Myndigheten för CIVILSAMHÄLLES- och UNGDOMSFRÅGOR*) published a report¹⁵³ on its assignment to contribute to better conditions for Roma persons and Roma organisations to engage in civil society.¹⁵⁴ The assignment included arranging training in organisation techniques and exchange of experiences between Roma and non-Roma organisations. The assignment also included the distribution of funding in accordance with the Ordinance on state funding for health-promoting measures targeting Roma persons.¹⁵⁵ The authority states that even if the funding has strengthened both Roma organisations and the health situation for many Roma persons, the limited budget has inhibited the full potential of the work. Consequently, the authority suggests that the government continue its assignment to distribute funding following the Ordinance on state funding for health-promoting measures targeted to Roma persons. The funding should also be increased. This is important especially so the significant engagement and potential of Roma organisations working to promote Roma persons' health shall not be lost. The organisations must be given possibilities to gear up their measures. The Swedish Agency for Youth and Civil Society also suggests that the government prolongs its assignment to contribute to better conditions for Roma persons and Roma organisations to engage in civil society. Furthermore, the authority calls on the government to consider the children and youth perspective in all work within the framework of the national strategy for Roma inclusion. It is essential that young Roma persons are included in the work on their own conditions.

In May 2020, the government assigned the Public Employment Agency (*Arbetsförmedlingen*) with the task to further develop its work with Roma inclusion in its activities within the frames of the national strategy for Roma inclusion.¹⁵⁶ The assignment is for the period 2020–2023. During this period, the Public Employment Agency shall:

- Disseminate information and knowledge among Roma persons about the support that the authority can offer, and ensure that individual job applicants get the help they need from the authority;
- Strengthen the work to improve Roma women's possibilities to take part in the authority's measures;

¹⁵³ Sweden, Swedish Agency for Youth and Civil Society (*Myndigheten för CIVILSAMHÄLLES- och UNGDOMSFRÅGOR*), Support for Roma organisations and Roma person's health 2019 (*Stöd till romska organisationer och romers hälsa 2019*), 15 March 2020, available here

¹⁵⁴ Sweden, Ministry of Culture (*Kulturdepartementet*), Assignment to the Swedish Agency for Youth and Civil Society on support for Roma organisations (*Uppdrag till Myndigheten för ungdoms- och civilsamhällesfrågor om stöd till romska organisationer*), Government Assignment, 28 June 2016, available here

¹⁵⁵ Sweden, Ordinance on state funding for health promoting measures targeted to Roma persons (*Förordning [2016:840] om statsbidrag för hälsofrämjande insatser riktade till romer*), 30 June 2016, available here

¹⁵⁶ Sweden, Ministry of Culture (*Kulturdepartementet*), A coordinated and long-term strategy for Roma inclusion 2012-2032 (*En samordnad och långsiktig strategi för romsk inkludering 2012-2032*) Official letter, 23 February 2012, available here

- Ensure that the authority has necessary knowledge about the Roma as a national minority;
- Develop a monitoring system based on previous experiences with regular up to date reports.

As was mentioned in Sweden's report on Corona and Roma, all the contacted stakeholders¹⁵⁷ stated that the Roma and traveller's minority had not been especially hard hit by the general measures taken to combat covid-19. No specific measures have been taken concerning covid-19 with the Roma minority as the target group.¹⁵⁸ However, many of the Roma persons in Sweden live under socio-economically challenging conditions, which affect the possibility to keep social distance in the home and live without overcrowding. This affects Roma persons' possibilities to enjoy the best possible health, but the problem is rather related to socio-economic gaps in society rather than to the national minority Roma¹⁵⁹

¹⁵⁷ Sweden, development manager (*utvecklingsledare*) at the County Administrative Board in Stockholm (*Länsstyrelsen Stockholm*);

Sweden, development manager (*utvecklingsledare*) at Gothenburg city's local department focusing on the Roma population;

Sweden, development manager (*utvecklingsledare*) at Malmö city's local department focusing on the Roma population and representative from the Roma minority in Malmö;

Sweden, development manager (*utvecklingsledare*) at the municipal social services office in Gothenburg;

Sweden, Roma activist and representative from the Roma minority in Gothenburg;

Sweden, Roma activist and representative for a Roma organisation in Stockholm

Sweden, radio journalist and editor at Radio Romano, Swedish Radio's special channel that transmits radio and news in Romani

Sweden, editor in chief at local Street magazine, sold by many Roma EU-citizens Sweden, Sweden, head of operations at Stockholm City Mission (*Stadsmissionen*), a Christian organisation that offers accommodation and food to socially vulnerable persons

¹⁵⁸ For more information on the impact of COVID-19 on the national minority Roma in Sweden, please see page 4 of the Franet country report o released XXX, p. 4

¹⁵⁹ For more information on the impact of COVID-19 on the national minority Roma in Sweden, please see page 8 of the Franet country report o released XXX, p. 4

Chapter 4. Asylum, visas, migration, borders and integration

Extension of residence permits and other authorisations to stay that expired during COVID-19 pandemic measures.

EUMS/ Republic of North Macedoni a, Republic of Serbia	Category of TCN160	Brief description of the measure	Legal source (legislation or case law as relevant) with hyperlink	Comments
Sweden	Complete this row if measures concern all/most of the TCN listed below whose (national or EU law based) permission to stay expired during COVID-19 related travel restrictions. In this case indicate in the next rows the categories to which the measure applies	The measures mean that persons who travelled to Sweden with a visa or are visa exempted can get a residence permit for a visit after application, due to the pandemic. The measures entered into force on 23 February 2020 and are still in force in January 2021. The permit is valid for up to three months and applies to those persons who can show that they cannot leave Sweden due to the outbreak of COVID-19. If the person's situation has not changed during the three months, the person can apply for an additional three months. No fee is charged for application of residence permit	<p>Due to the outbreak of COVID-19, the Migration Agency has developed the following legal positions: Legal position on visa and residence permits for visits due to the outbreak of the corona virus and the Legal position on the possibility to charge a fee for residence permits for visits.</p> <p>The legal position on the possibility to charge a fee for residence permits for visits: available here</p>	<p>The legal positions rule until further notice until the difficulties with travelling home due to the pandemic remain.</p> <p>As far as the Migration Agency is aware, no analysis is performed on the effects and efficiency of the measures.¹⁶³</p> <p>All of the categories are called residence permits holders under the Alien Act, chapter 5, section 10.¹⁶⁴</p> <p>According to the Migration Agency, persons who miss the deadline for applying</p>

¹⁶⁰ Please note that all these categories above are seen as the same in Sweden; residence permits holders in accordance with the Alien Act, chapter 5, section 10.

¹⁶³ Sweden, Data collected in writing from the Swedish Migration Agency (*Migrationsverket*), 21 August 2020

¹⁶⁴ Sweden, Alien Act (*Utlänningslag [2005:716]*), chap 5, section 10, 13 2008, available here

		<p>for visits for persons who have applied after 15 May 2020, this following international regard and supported by the Alien Ordinance (<i>Utlänningsförordning [2006:97]</i>).^{161 162}</p> <p>It also applies to persons who have had residence permits on other grounds, for example, work permits and students who can prove that they cannot travel to their country because of the pandemic. They can also apply for residence permits for visits and be granted such permits on up to three months. If the problem should remain a new application can be handed in, and the application will be tried conventionally.</p> <p>All the TCN holds the legal right to stay in Sweden, but they must be able to provide for themselves during their stay. An application of residence permit for visits must be handed in before the permit</p>	<p>The legal position on visa and residence permits for visits due to the outbreak of the corona virus: available here</p>	<p>for an extension of their residence permits shall always try to the utmost to return by contacting airlines and other travel companies, as well as the ambassador from the home country. Every country has a responsibility to bring its citizens home. If they have missed to apply for an extension before their right to stay expires, they are residing in Sweden without necessary documents and papers. This may lead to problems for the persons if they apply after the deadline and may lead to an exclusion ban within the entire Schengen.¹⁶⁵</p>
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¹⁶¹ Sweden, Alien Ordinance (*Utlänningsförordning [2006:97]*), 23 February 2020, available here

¹⁶² Sweden, Data collected in writing from the Swedish Migration Agency (*Migrationsverket*), 21 August 2020

¹⁶⁵ Sweden, Data collected in writing from the Swedish Migration Agency (*Migrationsverket*), 19 November 2020

		to reside in Sweden or the exemption from visa time expires.		
	<p>Holders of visas issued based on the Visa Code No. 810/2009 (as last amended by Regulation (EU) No. 2019/1155) (Schengen visas)</p>	See above and footnote 1	See above and footnote 1	See above and footnote 1
	<p>Visa-free TCN who reached the maximum of 90 days in any 180-day period under Article 4 of the Visa List Regulation (Regulation (EU) 2018/1806)</p>	See above and footnote 1	See above and footnote 1	See above and footnote 1
	<p>Holders of long-term visas issued by the EUMS (under Regulation (EU) No. 265/2010 and beyond, under national law)</p>	See above and footnote 1	See above and footnote 1	See above and footnote 1
	<p>Holders of residence permits issued under</p>	See above and footnote 1	See above and footnote 1	See above and footnote 1

	Regulation (EC) No. 1030/2002 (as last amended by Regulation (EU) 2017/1954)			
	Holders of local border traffic permit under Regulation (EC) No. 1931/2006	See above and footnote 1	See above and footnote 1	See above and footnote 1
	Any other category of TCN not listed above.			

Chapter 5. Information society, privacy and data protection

1. Legal and political initiatives that have been implemented to support access to, and use of, personal data

The information provided on the FRA website Data retention across the EU, <https://fra.europa.eu/en/publication/2017/data-retention-across-eu> needs to be updated with the information from Sweden's contribution to last year's Annual report. "In October 2019, a representative of the Swedish Post and Telecom Authority (*Post- och telestyrelsen*) confirmed that the boxes below should be checked in order to be in accordance with the Swedish legislation.¹⁶⁶ " This should be added to the website mentioned above.

EU Member state	Draft legislative amendments introduced					Legislative amendments in force			
	Wider review of access	Access to data more precisely defined	Retention periods specified	Requirement to store data	Text not public	Wider review of access	Access to data more precisely defined	Retention periods specified	Requirement to store data
SE							X	X	X

Guidelines for persons processing personal data during the pandemic

In relation to the outbreak of COVID-19 in the spring of 2020, the Swedish Data Protection Authority (*Datainspektionen*) has presented guidelines for persons processing personal data during the pandemic. Furthermore, the authority has informed the general public about the use of services that track infection spread through location data from mobile networks or apps on its website. It has received many questions regarding the use of contact tracing and tracking applications used in other

¹⁶⁶ E-mail correspondence with Swedish Post and Telecom Authority (*Post- och telestyrelsen*), 3 October 2019

countries.¹⁶⁷ The Data Protection Authority has stated that any request for prior consultations from actors working with digital infection tracking, including personal data processing, will be prioritised. However, the authority has not received any such requests as of 30 August 2020. In addition, the Data Protection Authority has presented advice to authorities that need to use personal data to protect Sweden against the corona virus, stressing that it is important that adequate measures be taken to minimise the privacy breaches.¹⁶⁸

Cancelled development of digital tool

During the spring of 2020, the Swedish Civil Contingencies Agency (*Myndigheten för samhällsskydd och beredskap*) was developing a digital tool to track the spread of COVID-19 in cooperation with the Public Health Agency (*Folkhälsomyndigheten*) and the National Board of Health and Welfare (*Socialstyrelsen*). However, the app's launching was cancelled on 27 April 2020 after a request from the Public Health Agency.¹⁶⁹

Report on future interventions deals with so-called infection tracking apps

In its report on possible future interventions during different COVID-19 scenarios, the Public Health Agency (*Folkhälsomyndigheten*) states that other countries discuss so-called infection tracking apps as possible support when tracking an infected person's contacts in order to prevent or contain a local outbreak.¹⁷⁰ Such apps use the mobile phone's capabilities for positioning to identify people who may have had close contact with an infectious person. According to the authority, several European countries use a technical solution that infringes on personal integrity as little as possible. This technical solution also has the potential to operate across national borders. The European Commission supports the solution. The Public Health Agency states that the main benefit of infection tracking apps is the automatic identification of unknown contacts that have been

¹⁶⁷ For more information about the Swedish Data Protection Authority's guidelines, advice, and other activities in relation to the outbreak of covid-19 see the Franet country study released on 30 June 2020, p. 17–18, available here

¹⁶⁸ For more information about the Swedish Data Protection Authority's guidelines, advice, and other activities in relation to the outbreak of covid-19 see the Franet country study released on 30 June 2020, p. 17–18, available here

¹⁶⁹ For more information on the aborted infection tracking app in Sweden and its aftermath, please page 22 of the Franet country study released on 25 May 2020, available here See also: Sweden, Sweden's television (*Sveriges television, SVT*), The aborted "corona app" may cost millions – the Swedish Civil Contingencies Agency has not cancelled the contract (Stoppade "corona-appen" kan kosta miljoner – MSB har inte sagt upp avtalet), 8 May 2020, available here Sweden, Dagens Nyheter (daily newspaper), the Swedish Civil Contingencies Agency pays millions for aborted "corona app" (*MSB betalar miljoner för stoppad "corona-app"*), 23 May 2020, available here

¹⁷⁰ Sweden, Public Health Agency (*Folkhälsomyndigheten*), Interventions during new outbreaks of covid-19, government assignment (*Insatser vid nya utbrott av covid-19, regeringsuppdrag*), July 2020, available here

exposed to the infection but who are difficult to identify through traditional infection tracking. An infection-tracking app is intended to function as a complement to traditional infection tracking. The authority's current position is that it remains unclear the degree to which such apps affect the spread of infection. Several aspects need to be investigated further before a possible infection-tracking app may be introduced. In addition to issues concerning the impact on personal integrity and the economy, it is important to have a dialogue with the healthcare and medical services on the sector's conditions for and need of using such apps. Furthermore, there is a need to conduct an exhaustive legal analysis of infection tracking apps' usage.¹⁷¹

Researchers at Lund University launched an app aimed at mapping the spread of COVID-19

On 30 April 2020, researchers at Lund University (*Lunds universitet*), Sweden, launched an app developed in the UK to map the spread of COVID-19. The app launched by the researchers, COVID symptom study, is free of charge and can be downloaded to many different types of telephones. The COVID Symptom Study app is based on collecting the self-reported data from individuals concerning their health status. The Swedish Data Protection Authority has neither been consulted about the app's potential alignment with GDPR nor has it confirmed that the app meets the requirement of GDPR.¹⁷² On 3 September 2020, 189,067 persons have registered as participants in the study.¹⁷³

Government assignment to analyse the digital transition-taking place due to the outbreak of Covid-19

In June 2020, the government commissioned the Swedish Post and Telecom Authority (*Post- och telestyrelsen, PTS*) to survey and analyse the experiences linked to the digital transition that are taking place due to the outbreak of Covid-19.¹⁷⁴ The assignment shall be carried out in collaboration with the Agency for Digital Government (*Myndigheten för digital förvaltning, DIGG*) and shall include proposals for short and long-term measures based on the analysis. The assignment aims to benefit from the experiences of the digital transition resulting from the corona pandemic and provide the government with suggestions

¹⁷¹ Sweden, Public Health Agency (*Folkhälsomyndigheten*), Interventions during new outbreaks of covid-19, government assignment (*Insatser vid nya utbrott av covid-19, regeringsuppdrag*), July 2020, available here

¹⁷² For more information on the infection study app, its features and criticism in relation to the app in Sweden please see page 20 of the Franet country study released on 30 June 2020, p. 20, available here

¹⁷³ Sweden, Lund University (*Lunds universitet*), Covid Symptom Study, webpage, available here

¹⁷⁴ Sweden, Ministry of Infrastructure (*Infrastrukturdepartementet*), Analysis of the impact of the Corona crisis on digitalisation (*Analys av coronakrisens påverkan på digitaliseringen*), 4 June 2020, available here

on how to remove obstacles and implement further measures that can facilitate living and working digitally. The assignment must be reported to the government no later than 31 December 2020.¹⁷⁵

Joint government assignment for greater insight into, and control over the personal data within the public administration

In July 2020, the government has given several authorities a joint assignment so that individuals can gain greater insight into, and when possible, control over the data that exists about the individual within the public administration.¹⁷⁶ The starting point is that joint management solutions must be developed that may also be integrated within the private sector. The Swedish Public Employment Service (*Arbetsförmedlingen*), the Swedish eHealth Agency (*eHälsomyndigheten*), the Swedish Agency for Digital Government (*Myndigheten för digital förvaltning, DIGG*), and the Swedish Tax Agency (*Skatteverket*) are tasked with finding the best management solutions and developing a type of draft of one or more solutions applicable across authorities. The Agency for Digital Government is responsible for the assignment's overall coordination. The final report must be submitted to the government no later than 1 June 2021.

Report analysing the complaints about paging services with voluntary publishing certificates

In the beginning of 2020, the Swedish Data Protection Agency (*Datainspektionen*) published a report analysing the complaints about paging services with voluntary publishing certificates during the period May 2018 to October 2019.¹⁷⁷ The report states that one in five complaints to the authority concerned paging services (*personsöktjänster*) on the Internet covered by so-called voluntary publication certificates (*frivilliga utgivningsbevis*) during the first eighteen months after the General Data Protection Regulation, GDPR entered into force. These sites publish large amounts of personal data collected and compiled from Swedish authorities. Since the companies behind the sites have constitutional protection through their publication certificates, they are mostly exempt from the regulations of GDPR.¹⁷⁸ Two-thirds of the complaints against the paging services submitted during the

¹⁷⁵ Sweden, Ministry of Infrastructure (*Infrastrukturdepartementet*), Analysis of the impact of the Corona crisis on digitalisation (*Analys av coronakrisens påverkan på digitaliseringen*), 4 June 2020, available here

¹⁷⁶ Sweden, Ministry of Infrastructure (*Infrastrukturdepartementet*), individuals will be allowed increased-transparency and control over their personal data (*Individen ska få ökad insyn och kontroll över sin personliga data*), 30 July 2020, available here

¹⁷⁷ Sweden, Data Protection Authority (*Datainspektionen*), Complaints about paging services with voluntary publishing certificates May 2018–October 2019 Data Protection Agency report 2020:1 (*Klagomål mot personsöktjänster med frivilligt utgivningsbevis maj 2018–oktober 2019, Datainspektionens rapport 2020:1*), 2020, available here

¹⁷⁸ Sweden, Data Protection Authority (*Datainspektionen*), Complaints about paging services with voluntary publishing certificates May 2018–October 2019 Data Protection Authority report 2020:1 (*Klagomål mot personsöktjänster med frivilligt utgivningsbevis maj 2018–oktober 2019, Datainspektionens rapport 2020:1*), 2020, available here

period 25 May 2018 to 31 October 2019 were directed at a site called Mrkoll. During the period, the Data Protection Agency received over 750 complaints against such paging services with voluntary publishing certificates. The complaints show that the citizens experience paging services as a significant invasion of their privacy and personal integrity. The persons who get in touch with the authority are concerned and afraid of suffering negative consequences from such invasions. They are especially worried, and that criminals who commit identity theft or fraud will use the information. According to the Data Protection Authority, it is clear that the citizens wish to decide for themselves whether their personal data should be published on the Internet and made available for the general public.¹⁷⁹ The complaints also include criticism of the current legislation and lack of understanding of how voluntary constitutional protection is compatible with the fact that GDPR is supposed to strengthen personal integrity protection. During 2018, the applications for voluntary publishing certificates submitted to the Swedish Press, Radio, and Television Authority had increased almost three times compared to 2017. The main increase of such applications took place in the spring of 2018 i.e., just before GDPR entered into force.¹⁸⁰

Analysis of the reported personal data breaches during 2019

In the spring of 2020, the Data Protection Authority (*Datainspektionen*) published an analysis of the reported personal data breaches during 2019.¹⁸¹ According to the authority, the number of reported breaches per month increased in 2019 compared with 2018, with approximately 23 percent. The largest increase in reported breaches emanates from the public sector, particularly from different government authorities and the regional healthcare and medical services. In 2019, both of these sectors reported twice as many personal data breaches on average per month compared with 2018. In the private and non-profit sectors, the number of reported breaches per month was relatively unchanged compared with 2018.¹⁸² The Data Protection Authority assesses that the increase in the number of reported breaches mostly is because the routines for reporting personal data breaches internally and to the authority have become more established, especially in the public sector. The most common incident in 2019 was incorrectly sent e-mails or letters, which make up around a third of the incidents. According to

¹⁷⁹ Sweden, Data Protection Authority (*Datainspektionen*), Complaints about paging services with voluntary publishing certificates May 2018–October 2019 Data Protection Authority report 2020:1 (*Klagomål mot personsöktjänster med frivilligt utgivningsbevis maj 2018–oktober 2019, Datainspektionens rapport 2020:1*), 2020, available here

¹⁸⁰ Sweden, Data Protection Authority (*Datainspektionen*), Complaints about paging services with voluntary publishing certificates May 2018–October 2019 Data Protection Authority report 2020:1 (*Klagomål mot personsöktjänster med frivilligt utgivningsbevis maj 2018–oktober 2019, Datainspektionens rapport 2020:1*), 2020, available here

¹⁸¹ Sweden, Data Protection Authority (*Datainspektionen*), Reported personal data breaches 2019, Data Protection Authority report 2020:2 (*Anmälda personuppgiftsincidenter 2019, Datainspektionens rapport 2020:2*), 2020, available here

¹⁸² Sweden, Data Protection Authority (*Datainspektionen*), Reported personal data breaches 2019, Data Protection Authority report 2020:2 (*Anmälda personuppgiftsincidenter 2019, Datainspektionens rapport 2020:2*), 2020, available here

the Data Protection Authority, the most common cause for personal data breaches remains the human factor, which is said to have caused half of the reported incidents in 2019.¹⁸³ There are relatively large differences between different sectors of society regarding the type of incidents reported and what is said to have caused them. One explanation for the differences is that the amount of personal data sent out in the business in question. In businesses that send large amounts of letters or e-mails, the most common incident is consistently incorrectly sent letters. In businesses where personal data is mainly handled in internal IT systems or systems that citizens log in to, the most common incident is instead unauthorized access.¹⁸⁴

Analysis of the 9 % of the personal data breaches reported in 2019 considered to be due to antagonistic attacks

In May 2020, the Swedish Data Protection Authority (*Datainspektionen*) published an analysis of the 9 % (400) of the personal data breaches reported in 2019 that were considered to be due to antagonistic attacks.¹⁸⁵ 86 % of these incidents came from the private sector, and only about 14 % emanated from the public sector. According to the Data Protection Authority, the most common antagonistic breaches have been carried out through broad cyber-attacks without specific recipients, e.g., through "phishing." Work email accounts are commonly used to send phishing emails. Employees, affected persons, or personal data processors (*personuppgiftsbiträden*) had detected 69 % of the reported IT attacks within 24 hours. 31 % of the breaches have been detected through organizational and technical measures.¹⁸⁶ The reporting organisations generally assess that the severity of the personal data breaches has been limited. The Data Protection Authority states that this may be because the breaches have affected neither sensitive personal data nor particularly vulnerable groups largely. In cases where sensitive personal data has been affected, the breaches usually concern the so-called personal identity number (*personnummer*), credit and debit cards, or account numbers. Although the antagonistic incidents account for a small proportion of the total number of personal data incidents, they have affected a relatively large number of persons. The Data Protection Authority assesses that there are probably many undetected cases of personal data breaches that occurred due to IT attacks. For example, the relatively

¹⁸³ Sweden, Data Protection Authority (*Datainspektionen*), Reported personal data breaches 2019, Data Protection Authority report 2020:2 (*Anmälda personuppgiftsincidenter 2019, Datainspektionens rapport 2020:2*), 2020, available here

¹⁸⁴ Sweden, Data Protection Authority (*Datainspektionen*), Reported personal data breaches 2019, Data Protection Authority report 2020:2 (*Anmälda personuppgiftsincidenter 2019, Datainspektionens rapport 2020:2*), 2020, available here

¹⁸⁵ Sweden, Data Protection Authority (*Datainspektionen*), Personal data breaches due to antagonistic attacks 2019, Data Protection Authority report 2020:3 (*Personuppgiftsincidenter som beror på antagonistiska angrepp 2019, Datainspektionens rapport 2020:3*), 2020, available here

¹⁸⁶ Sweden, Data Protection Authority (*Datainspektionen*), Personal data breaches due to antagonistic attacks 2019, Data Protection Authority report 2020:3 (*Personuppgiftsincidenter som beror på antagonistiska angrepp 2019, Datainspektionens rapport 2020:3*), 2020, available here

low proportion of reported incidents from the public sector may indicate a more significant number of unreported cases in the public sector than the private sector.¹⁸⁷

Public inquiry report on a new authority for forestalling, preventing and detecting incorrect payments from the welfare systems

In June 2020, a public inquiry presented its final report Control for increased trust – a new authority for forestalling, preventing and detecting incorrect payments from the welfare systems (*Kontroll för ökad tilltro – en ny myndighet för att förebygga, förhindra och upptäcka felaktiga utbetalningar från välfärdssystemen*) was presented to the government.¹⁸⁸ The report focuses on whether a function for system-wide risk analyses, sampling and controls should be introduced in order to prevent incorrect amounts of state benefits of different kinds from being paid out, and to ensure that the payments that are made go to the right recipients. The background to the inquiry's task was a change in the character of such incorrect payments. Where largely the problem was once one of individuals deceiving the welfare system – for example, colluding payments – an entirely different type of approach to welfare fraud has emerged. Today, companies and identity fraud are used as tools to obtain welfare payments improperly. Such actors use the fact that public authorities are inflexible and move between welfare systems, identifying and exploiting loopholes in regulations and gaps in controls. Taking the welfare system as a whole, there is insufficient overall preparedness to curb such activities. The information that would be needed to detect irregularities is often held by another agency. It may well be that the decision-making public authority does not have access to the data or is not permitted to use it to detect and prevent irregular payments due to confidentiality rules and data protection regulations. It is not possible to utilise data from different parts of the welfare system – for example, payment data, certificates and other control data or data from the Swedish Tax Agency – to the necessary extent to effectively detect and prevent irregular payments. The conditions for conducting control activities also vary from one agency to the next. Issues of control are prioritised differently at different agencies and those priorities change over time. This excludes a long-term view of control issues and leads to disjointed control activities. Although public authorities expend a considerable amount of energy countering irregular payments, they all do so on the basis on their own operations. The public inquiry proposes that a specific agency should be

¹⁸⁷ Sweden, Data Protection Authority (*Datainspektionen*), Personal data breaches due to antagonistic attacks 2019, Data Protection Authority report 2020:3 (*Personuppgiftsincidenter som beror på antagonistiska angrepp 2019, Datainspektionens rapport 2020:3*), 2020, available here

¹⁸⁸ Sweden, Ministry of Finance (*Finansdepartementet*) Control for increased trust – a new authority for forestalling, preventing and detecting incorrect payments from the welfare systems, public inquiry report (*Kontroll för ökad tilltro – en ny myndighet för att förebygga, förhindra och upptäcka felaktiga utbetalningar från välfärdssystemen 2020:35*), 8 June 2020, available here

established to counter irregular payments and welfare fraud from a holistic perspective. This implies the establishment of an agency, the Payment Control Agency (*Myndigheten för utbetalningskontroll*) permitted to focus on the task of countering irregular payments without competing additional tasks. According to the inquiry, the creation of a new government agency sends a clear signal that the government is prioritising the issue of combating irregular payments from the welfare system. The agency may also have a preventive effect. Furthermore, a government agency with a stated responsibility for these issues can contribute to developing cooperation in the field. This will reduce crime and reinforce confidence in the welfare system. The proposals presented in the final report include the central parts of the welfare state in which public trust is particularly important, that is the mandate of the new agency should be to prevent and detect irregular payments from the Swedish Public Employment Service (*Arbetsförmedlingen*), Swedish Board of Student Finance (*Centrala Studiestödsnämnden, CSN*), Swedish Social Insurance Agency (*Försäkringskassan*) and Swedish Pensions Agency (*Pensionsmyndigheten*). The Swedish Tax Agency (*Skatteverket*) and, to a certain extent, unemployment benefit funds (*arbetslöshetskassor*) are included. A number of other public authorities will also be required to provide data to the Payment Control Agency and will receive notifications regarding irregularities. The operations conducted by the Payment Control Agency will focus on intentional errors and more advanced schemes to defraud the welfare system, where one or more individuals seek to obtain funds on false grounds. In order to create a collective structure for payments from the state welfare systems and the Swedish Tax Agency, the inquiry proposes the establishment of a system of transaction accounts. This system will administer payments from the welfare systems and the Swedish Tax Agency. A collective function separate from other agencies provides a holistic overview of welfare payments while at the same time limiting the risk of data being disseminated largely than necessary. The transaction account system will overall be more efficient for the state, among other things because welfare payments can be managed collectively and account details for payees will only need to be administered by a single public authority, rather than several. The transaction account system shall be regulated in a separate law and supplementary ordinance. The ability to crosscheck data from various welfare agencies will allow the new authority to detect irregularities in a manner that is not currently feasible. This is particularly applicable to cases where data indicative of irregular payments is stored by an agency other than the decision-making authority. It also makes it possible to compare information supplied to different government agencies, thus detecting irregularities. In addition to payment data from the transaction account system, the Agency will need to use certain data held by the decision-making authority as a basis for data analysis and selection; for example, decisions, employer certificates and contact details. Certain other data from public authorities will also form the basis for data analysis and selection, including registry data from the Swedish Companies Registration Office and Swedish Enforcement Authority. The Agency will also be permitted to use personal data from the Swedish Tax Agency such as certain tax information and information from the population register. It will also be

possible to use certain data from unemployment benefit funds. The public inquiry states that the proposed authority's processing of personal data, especially in data analysis and selection, constitutes an infringement of individual privacy. However, the inquiry states that this infringement is proportionate to the purpose of detecting and preventing irregular welfare payments and thereby countering welfare crime. Consequently, the inquiry proposes a law to facilitate and regulate the processing of personal data deemed necessary for the authority to carry out its proposed assignment. This proposed legislation should include a number of safeguards, including restrictions on searches and access to personal data for the authority's staff, as well as rules on access control. The ordinance shall specify the data that the Payment Control Agency is permitted to use when performing data analysis and sampling. This is to safeguard the principle of data minimisation and to strengthen the protection of privacy. Furthermore, the public inquiry states that secrecy rules are necessary to protect both individual rights and the public interest in the Agency's operations. In the operations of the proposed Agency, absolute secrecy shall apply to all data concerning the personal and financial circumstances of individuals and legal entities. Data will therefore always remain secret and shall not be disclosed to public authorities or others unless there are any provisions overriding secrecy. We also propose that it should be possible to classify as secret any information regarding the methods, models and risk factors associated with the analysis and selection conducted to detect and prevent irregular welfare payments. The Payment Control Agency's operations presuppose the exchange of data with other public authorities and stakeholders. To facilitate the exchange of data, we propose obligations overriding secrecy regarding the exchange of intelligence and information. This proposal implies that the following public authorities shall provide certain specified data to the Agency for data analysis and selection: the Swedish Public Employment Service, Swedish Companies Registration Office (*Bolagsverket*), Swedish Board of Student Finance, Swedish Social Insurance Agency, Health and Social Care Inspectorate (*Inspektionen för vård och omsorg, IVO*), Swedish Migration Agency (*Migrationsverket*), Swedish Pensions Agency, Swedish Tax Agency and unemployment benefit funds. Government agencies, unemployment benefit funds and credit institutions shall provide information concerning named natural persons or legal entities that may be of significance to the new authority's in-depth enquiries. The necessary legislative changes are proposed to enter into force on 1 July 2022.¹⁸⁹ The report in question is submitted for comments to a selection of relevant

¹⁸⁹ The proposed legislative changes are:

Sweden, Draft Act on transaction accounts (*Lag [0000:00] om transaktionskonto*)

Sweden, Draft Act on audits to detect and prevent incorrect payments from welfare systems (*Lag [0000:00] om granskningar för att upptäcka och förhindra felaktiga utbetalningar från välfärdssystemen*)

Sweden, Draft Act on the processing of personal data at the Agency for Payment Control (*Lag [0000:00] om behandling av personuppgifter vid Myndigheten för utbetalningskontroll*)

authorities, municipalities and regions, private actors and civil society organisations. The deadline for comments is 30 October 2020.¹⁹⁰

Government assignment to several national authorities jointly establish a common digital infrastructure for information exchange

In December 2019, the government commissioned the Swedish Companies Registration Office (*Bolagsverket*), the Swedish National Courts Administration (*Domstolsverket*), the Swedish eHealth Agency (*eHälsomyndigheten*), the Swedish Social Insurance Agency (*Försäkringskassan*), the Swedish mapping, cadastral and land registration authority (*Lantmäteriet*), the Swedish Tax Agency (*Skatteverket*), the Swedish Civil Contingencies Agency (*Myndigheten för samhällsskydd och beredskap, MSB*) and the Swedish National Archives (*Riksarkivet*) to jointly establish a common digital infrastructure for information exchange among public authorities.¹⁹¹ The Agency for Digital Government (*Myndigheten för digital förvaltning, DIGG*) coordinated the assignment. The work shall be based on the findings of an earlier assignment that analysed and submitted proposals aimed at creating increased security and efficiency in electronic information exchanges within the public sector.¹⁹² On 28 February 2020, the authorities presented an interim report containing a first overall version of a long-term plan for the establishing the digital infrastructure.¹⁹³ The report included an overall assessment of the costs associated with developing and managing the various building blocks for the years 2021–2023. The five building blocks in focus are: **1) My agents (*Mina ombud*)**: the creation of a national, common, infrastructure for managing agents in digital services both for natural and legal

¹⁹⁰ Sweden, Draft Act on the obligation to provide information to the Payment Control Authority (*Lag [0000:00] om uppgiftsskyldighet till Myndigheten för utbetalningskontroll*) Sweden, Draft Act amending the Act on the processing of personal data in labour market policy activities (*Lag [2002:546] om behandling av personuppgifter i den arbetsmarknadspolitiska verksamheten*), 30 May 2002, available here

Sweden, Draft Act amending the Act on the obligation to inform on incorrect payments from the welfare systems (*Lag [2008:206] om underrättelseskyldighet vid felaktiga utbetalningar från välfärdssystemen*), 24 April 2008, available here

Sweden, Draft Act amending the Public Access to Information and Secrecy Act (*Offentlighets- och sekretesslag [2009:400]*), 20 May 2009, available here

¹⁹⁰ A list of all actors can be found at the web of the Ministry of Finance, available here

¹⁹¹ Sweden, Ministry of Infrastructure (*Infrastrukturdepartementet*), Assignment to establish a common digital infrastructure for information exchange among public authorities (*Uppdrag att etablera en förvaltningsgemensam digital infrastruktur för informationsutbyte*), ref. no. I2019/03306/DF, 11 December 2019, available here

¹⁹² Sweden, Agency for Digital Government (*Myndigheten för digital förvaltning, DIGG*), Secure and efficient information exchange within the public sector (*Säkert och effektivt informationsutbyte inom den offentliga sektorn*), ref. no. Fi2018/02150/DF and Fi2018/03037/DF, available here

¹⁹³ Sweden, Agency for Digital Government (*Myndigheten för digital förvaltning, DIGG*), Assignment to establish a common digital infrastructure for information exchange among public authorities. Interim report: Overarching long-term plan (*Uppdrag att etablera en förvaltningsgemensam digital infrastruktur för informationsutbyte. Delredovisning: Övergripande långsiktig plan*), 28 February 2020, available here

persons. This building block is a precondition for the ongoing and upcoming digitisation of municipalities, authorities and private actors; **2) API management (API-hantering)**: application programming interface (API) management concerns the functionality to manage APIs from design, development and testing to publishing, operation, management and decommissioning. This building block does not address what information is exchanged, but the functionality needed to exchange information technically. An authority-wide way of describing and publishing interfaces that allows the consumer to find these descriptions is one of the first steps in the process of accelerating the exchange of information; **3) Identity (Identitet)**: It is of great importance that organizations, individuals and entities have a clear global identity when exchanging information. Above all, this is important in order to be able to track events across several systems and in some cases at several stages. A unique and consistent identity is the basis for any entity to be able to use digital services where the need for protection of the information does not allow anonymous access; **4) Authorization (Auktorisering)**: In many cases, an authorization is required for access to various information resources. This can be done in a number of different ways depending on the communication pattern, resource type and protection needs. Without authorization, only information without the protection needs can be shared. This would drastically limit the societal benefits of infrastructure; and **5) Trust regulations (Tillitsregelverk)**: There is a need of a combination of technology, processes/methods and culture that is common and accepted by all participating actors in order to create trust. Trust is a prerequisite for a functioning secure and efficient exchange of information, i.e. all participating actors must trust the other actors and the infrastructure used, to such a level that they can accept the risk that the exchange of information entails for themselves.¹⁹⁴ The interim report of 2020 includes a first version of a long-term plan for the establishing of the proposed infrastructure. The plan also includes has an overall assessment of the costs of developing and managing the various building blocks during the period 2021–2023. The cost estimates are uncertain and depend on: a) the requirements of availability, e.g. services around the clock, every day of the year; b) the distinctions between the different building blocks; and c) the costs for secure and sustainable information management. The total estimated costs amount to 155.9 million SEK (€15.2 million) for 2021, 190.5 million SEK (€185 million) for 2022, and 194.5 million SEK (€18.9 million) for 2023. According to the interim report, the building blocks My agents and API management are being established. Two more building blocks are in an initial phase. No quantitative assessments of benefits and effects are included in this report. The benefit of the building blocks has then been calculated for a certain sector, or for use by a group of actors, but not for joint use of the different actors. Part of the continued work focuses on establishing a method for carrying out utility analyses that can

¹⁹⁴ Sweden, Agency for Digital Government (*Myndigheten för digital förvaltning, DIGG*), Assignment to establish a common digital infrastructure for information exchange among public authorities. Interim report: Overarching long-term plan (*Uppdrag att etablera en förvaltningsgemensam digital infrastruktur för informationsutbyte. Delredovisning: Övergripande långsiktig plan*), 28 February 2020, available here

be used for all building blocks and especially when prioritising the order of development of the different blocks. According to the interim report, benefits do not arise just because the digital infrastructure is in place. The realisation of the benefits depends on both connection and connection rate.¹⁹⁵

Special inquirer to investigate the conditions for increased and standardised use of trust services within public administration

In March 2020, the government appointed a special inquirer that shall investigate the conditions for increased and standardised use of trust services within public administration. The purpose of the inquiry is to increase security and strengthen faith in using trust services.¹⁹⁶ An obstacle that is often highlighted with regard to the digitalisation of the public sector is the lack of standardized e-identification for use in the performance of duties. The electronic certificates that are currently sent between the parties for electronic identification contain information about the user's identity, e.g. social security number. However, there is usually a lack of information about which organization the user represents and what authority he has. The Digital Administration Authority highlights the need to develop authorization management services as a priority measure to achieve an efficient and secure exchange of information within the public administration. In order for Sweden to live up to its obligations under EU law, Directive 2006/123/EC of the European Parliament and the Council on services in the internal market with accompanying decisions and Regulation 2018/1724 of the European Parliament and of the Council on the establishment of a common digital entrance for the provision of information, procedures and assistance and problem-solving services and on the amendment of Regulation 1024/2012 that Sweden in some cases makes it possible for persons from other EU countries to identify themselves to apply for permits etc. The inquirer's assignment is to:

- survey and analyse the public administration's need of measures for increased and standardized use of trust services;
- submit proposals for such measures, in particular as regards;
 - clarifying when advanced and qualified electronic signatures should be used in the public administration;
 - validating and preserving electronic signatures;

¹⁹⁵ Sweden, Agency for Digital Government (*Myndigheten för digital förvaltning, DIGG*), Assignment to establish a common digital infrastructure for information exchange among public authorities. Interim report: Overarching long-term plan (*Uppdrag att etablera en förvaltningsgemensam digital infrastruktur för informationsutbyte. Delredovisning: Övergripande långsiktig plan*), 28 February 2020, available here

¹⁹⁶ Sweden, Ministry of Infrastructure (*Infrastruktursdepartementet*), Increased and standardised use of trust services in public administration, Inquiry directive (Ökad och standardiserad användning av betrodda tjänster i den offentliga förvaltningen), Dir. 2020:27, 13 March 2020, available here

- using e-identification in the service, and
- submit necessary constitutional proposals.

The assignment must be reported no later than 30 December 2020.¹⁹⁷

Research report on ehealth as apps – data protection and data sharing

In June 2020, the research project Healthcare and care in the 21st century (*Vård och omsorg i det 21:a århundradet*) published a new research report, E-health as apps – data protection and data sharing (*E-hälsa som app – dataskydd och datadelning*).¹⁹⁸ The report focuses on the legal conditions for data protection and data sharing via health apps, which can be anything from notification apps to care apps that collect / share patient information with the care provider. The report identifies five challenges: 1) there are contradictions between the health apps available on the market and the law. Health apps are used despite the fact that the legal situation in several areas is unclear; 2) the management policy management does not provide the actors concerned with sufficient conditions to develop health apps; 3) there are some unwarranted legal barriers that limit the potential of health apps; 4) the penalty fees, according to GDPR differ greatly between the public and private sectors as companies risk significantly higher penalty fees than authorities. Thus, it is riskier for some developers of health apps than for others; 5) there is no clear responsibility for older complex IT systems that are still in operation. The question of who updates and upgrades the older systems is becoming increasingly important.¹⁹⁹

The report states that both existing and coming regulations need to be adapted to IT. Consequently, legal developments need to be more adaptable. This includes the use of not only traditional sources of law, such as legislation and court verdicts, but also of soft law, i.e. formally non-binding rules. Going forward, it will also be increasingly relevant when using AI-based algorithms, code and machine learning to safeguard legal certainty (*rättssäkerhet*) but at the same time refrain from seeing technology as a threat. There is also a general need for Law to play a more proactive role. There are legal openings in GDPR for personal data processing for, e.g., research purposes. These in turn can stimulate the development of health apps. One

¹⁹⁷ Sweden, Ministry of Infrastructure (*Infrastruktursdepartementet*), Increased and standardised use of trust services in public administration, Inquiry directive (*Ökad och standardiserad användning av betrodda tjänster i den offentliga förvaltningen*), Dir. 2020:27, 13 March 2020, available here

¹⁹⁸ Sweden, Magnusson Sjöberg, C. (2020) E-health as apps – data protection and data sharing (*E-hälsa som app – dataskydd och datadelning*), SNS Publishing, available here

¹⁹⁹ Sweden, Magnusson Sjöberg, C. (2020) E-health as apps – data protection and data sharing (*E-hälsa som app – dataskydd och datadelning*), SNS Publishing, available here

method to further stimulate the development of health apps is to actively try to create legal conditions for legal lab environments with a view to designing legal model solutions, focused on health apps and other applications of e-health. So-called test beds and regulatory sandboxes can also open up for legal experiments with a view to develop legal IT solutions, especially for the processing of personal data.²⁰⁰

Debate on illegal content in social media

In February 2020, a short debate concerning possible political action against illegal content in social media was initiated by an interview with the Minister of Infrastructure has been added to text. According to the interview in the Swedish Television (*Sveriges television, SvT*), the minister stated that he wanted to introduce legislative changes making the social media companies partly responsible for what was published on their platforms. The minister pointed out that the person who writes a post is ultimately responsible for said post, but the social platforms should have a co-responsibility for what is published on their platforms, which includes an obligation for the companies in question to take down illegal material. According to the Minister of Infrastructure, this type of legislation is best suited at European level. However, if this would not work out the minister wanted to introduce these changes into the Swedish legislation. Examples of illegal content were the exploitation of children, cyberbullying or terrorist propaganda.²⁰¹ This interview initiated responses in several other media outlets.²⁰²

1. Artificial intelligence and big data

²⁰⁰ Sweden, Magnusson Sjöberg, C. (2020) E-health as apps – data protection and data sharing (*E-hälsa som app – dataskydd och datadelning*), SNS Publishing, available here

²⁰¹ Sweden, Swedish Radio (*Sveriges radio, SR*), The government wants to legislate against harmful content on social media (*Regeringen vill lagstifta mot skadligt innehåll på sociala medier*), 18 February 2020, [available here](#)

²⁰² Sweden, Smålandsposten (daily newspaper), Bill of Rights on the internet! (*Bill of Rights på internet!*), newspaper editorial, 18 February 2020, [available here](#)

Sweden, Göteborgs-Posten (daily newspaper), Do not limit the social medias – they must not be the haunt of the elite (*Inskränk inte sociala medierna – de får inte bli elitens tillhåll*), opinion piece, 20 February 2020, [available here](#)

Sweden, Nyheter idag (web newspaper), S threatens the freedom of expression (*S hotar yttrandefriheten*), opinion piece, 21 February 2020, [available here](#)

Sweden, Blekinge Läns tidning (daily newspaper), No XX, we should not compromise the freedom of expression anymore (*Nej XX, vi ska inte tumma mer på yttrandefriheten*), newspaper editorial, 22 February 2020, <https://www.blt.se/ledare/nej-ygeman-vi-ska-inte-tumma-mer-pa-yttrandefriheten>

MS	Actor*	Type**	Description	Are Ethical concerns mentioned? (yes/no)	Are Human Rights issues mentioned? (yes/no)	Reference
SE	Independent state institution Government	report	The Swedish mapping, cadastral and land registration authority (<i>Lantmäteriet</i>) published an interim report on the impact of making especially valuable data sets available as open data. The report is part of a government assignment assigned to authority in May 2019. ²⁰³ The government assignment is part of Sweden's preparations for the so-called PSI- directive (EU) 2019/1024 on open data and the re-use of public sector information. Through the new PSI Directive, countries will jointly define particularly valuable datasets,	no ²⁰⁴	no	Sweden, Swedish mapping, cadastral and land registration authority (<i>Lantmäteriet</i>), Interim report: To make especially valuable data sets available as open data (<i>Delrapport: tillgängliggörande av särskilt värdefulla datamängder</i>), 4 May 2020, available here Sweden, Swedish mapping, cadastral and land registration authority (<i>Lantmäteriet</i>), The value of open data - Economic

²⁰³ Sweden, Ministry of Infrastructure (*Infrastrukturdepartementet*), Assignment to analyse the budget consequences of the providing valuable data sets from public authorities as open data (*Uppdrag att analysera budgetära konsekvenser av myndigheters tillgängliggörande av värdefulla datamängder*), reg. no I2019/01415/DF, 2 May 2019, [available here](#)

²⁰⁴ The report states that it has not dealt with questions on security, privacy or personal data. Among the proposed data sets for open access there are some which include data of a sensitive nature. It can e.g. be data sets containing personal data. However, the starting point has been that these restrictions in themselves do not prevent the authority from suggesting a certain data as a valuable data set.

		<p>which are to be published without fees and with minimal restrictions. The aim of the 2020 interim report is to analyse the impact of providing open access to several suggested datasets. In total, 298 High-Value Datasets (HVD) within six categories were identified. These datasets were then sorted into six different categories: <i>companies, geospatial data, earth observations and environment, statistics, meteorology and mobility</i>. Based on studies from comparable countries, a meta-analysis was conducted focusing on the value of four specific datasets: <i>geospatial data, address data, company data and geological data</i>. These sets of data are currently, to a high degree, restricted by fees in Sweden and providing them as open data is expected to result in significant socio-economic impact. By calculating the realised effects from providing open access to these datasets, the estimated value adds up to 11.1 billion SEK (€1.1 billion).</p>			<p>impact assessment of open public sector information, (<i>Värdet av öppna data - Samhällsekonomisk nyttoanalys av tillgängliggörande av särskilt värdefulla data</i>), report summary in English, 5 June 2020, available here</p>
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			<p>As a complement to the estimated values from the meta-analysis, a case-based impact analysis is conducted. This analysis focused on how the datasets currently restricted by fees may affect five different sectors. In contrast to the meta-analysis focusing on the realised values from our neighbouring countries, the case-based impact analysis estimates future values that providing open access data can contribute to. Open data is often a catalyst for innovation, which is why it is interesting to consider the indirect dynamic values that can arise when new business opportunities emerge. The study points to 20 applicable areas within five different sectors where the added value of providing open access to the proposed data amounts to 10–21 billion SEK (€970 million – 2.0 billion). The sectors in focus were farming, ICT, the finance and insurance industry, construction and the public sector. The proposed datasets are estimated to have the most significant potential within the</p>			
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			<p>ICT-sector and the real estate sector, where providing open access to the proposed data, for instance, enables more efficient IT-systems and planning processes. Overall, the analysis shows that significant values arise from increased use and combining of datasets, leading to both efficiency and more informed decision-making. The report states that the proposed datasets also can make up an essential piece of the puzzle in solving global environmental and climate issues. Furthermore, they have potential usage within artificial intelligence with several characteristics making them particularly valuable – for instance, the fact that they describe valuable resources such as companies, estates and vehicles. Several factors make data particularly useful in AI-algorithms. Through the PSI Directive, data is to be provided with minimal restrictions and in a machine-readable format - a prerequisite for many different AI applications. The proposed datasets contain detailed and updated information that can</p>			
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			also be connected to other datasets. Overall, the proposed datasets are suitable for many different AI applications entailing good prospects of providing access to the data contributing to the Swedish development of AI.			
S E	Government	Other projects	<p>On 2 May 2019, the government commissioned a special inquirer with the task to develop proposals necessary for the implementation of the re-worked Directive 2003/98/EC of the European Parliament and of the Council on the re-use of public sector information. The deadline for the inquiry has been extended on two occasions. The final report is expected to be presented to the government at the latest on 15 September 2020 with the exception of the part concerning the design of a clearer regulation of charges that should be reported no later than 31 December 2020.</p> <p>The special inquirer's tasks include: 1) to review and evaluate the Act on re-use of documents from the public administration (<i>Lag [2010:566]</i></p>	Yes	<p>Yes</p> <p>Freedom of the Press</p> <p>EU Charter on Fundamental Rights</p>	<p>Sweden, Ministry of Infrastructure (<i>Infrastrukturdepartementet</i>), Better conditions for access to and re-use of open data and public digital information, directive for a public inquiry, (<i>Bättre förutsättningar för tillgång till och vidareutnyttjande av öppna data och offentlig digital information</i>), dir. 2019:20, 2 May 2019, available here</p> <p>Sweden, Ministry of Infrastructure (<i>Infrastrukturdepartementet</i>), Additional directives for the Open data inquiry (<i>Tilläggsdirektiv till Öppna data-utredningen</i>), Dir. 2020:37, 17 April 2020, available here</p>

			<p>om vidareutnyttjande av handlingar från den offentliga förvaltningen);²⁰⁵ 2) to analyse the need for legislative changes in order to implement the re-worked PSI Directive and ensure an appropriate national regulation which, from a legal perspective, promotes and supports the public administration's work to make open data and other public digital information accessible; and 3) to analyse how a clearer regulation on charges can be designed and submit proposals for necessary legislative changes in this regard.</p>			
S	Independent state institution	study	<p>The Swedish Public Health Agency has been granted support for a project focusing on using AI as a tool in developing strategies for handling epidemics and pandemics. In addition, is part of an initiative by Sweden's Innovation Agency (<i>Vinnova</i>). The initiative is called "Start your AI journey! Public organizations" (<i>Starta er AI-</i></p>	No	No	<p>Sweden, Sweden's Innovation Agency (<i>Vinnova</i>), AI supported design of more efficient intervention strategies (<i>AI-stödd utformning av effektivare interventionsstrategier</i>), webpage, accessed 31 August 2020, available here</p>

²⁰⁵ Sweden, Act on re-use of documents from the public administration (*Lag [2010:566] om vidareutnyttjande av handlingar från den offentliga förvaltningen*), 3 June 2010, [available here](#),

			<p><i>resa! Offentliga institutioner</i>)²⁰⁶</p> <p>The project runs from April 2020 to the end of 2021 and was granted 495,967 SEK (€48,244) from the Innovation Agency.</p> <p>Purpose and goal: The project's goal is to implement an AI agent in an epidemiological simulation model by applying a method for reinforcement learning. The AI agent will learn which combination of interventions that should be chosen to best meet a number of defined assessment criteria and at which target groups the specific interventions should be directed, and when these interventions should be applied to achieve the best effect. These intervention strategies will lead to better and more well-informed support for decision-making, which in turn will lead to better decisions.</p> <p>Expected effects and results: In the short term, the AI-supported design will lead to a better basis for decision-making with more efficient and robust intervention strategies. In the long term, AI will become a natural part of the</p>			<p>Sweden, forskning.se (website publishing news about research results directly from Sweden's universities and research institutes), Artificial intelligence used to simulate pandemics (<i>Artificiell intelligens används för att simulera pandemier</i>), 14 April 2020, available here</p>
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²⁰⁶ Sweden, Sweden's Innovation Agency (*Vinnova*), Start your AI journey! Public organisations (*Starta er AI-resa! Offentliga organisationer*), webpage, accessed 31 August 2020, [available here](#)

		<p>models and analyses performed by the Swedish Public Health Agency. The project will also contribute to the streamlining the authority's work when the domain experts will be relieved from certain tasks as the AI agent handles the design and evaluation of the strategies. Parts of the models' tasks, such as adding and adjusting the intervention strategies within the program code, can instead be handled by the AI agent.</p> <p>Planned layout and implementation: The project is run by the Swedish Public Health Agency, with support in the form of researchers at the Department of Computer and Systems Science at Stockholm University. The project is divided into three work packages i) choice of AI method, ii) implementation, and iii) evaluation. In the first work package, the possible methods are examined as to their limitations and existing program libraries. The choice of the AI method to implement is made based on these examinations. In the second work package, the</p>			
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			selected AI method and its assistive methods are implemented in the simulation model. In the third work package, the simulated strategies will be evaluated to determine how effective they are in relation to each other based on, among other things, how many intensive care units and deaths that can be avoided and what direct and indirect costs the various strategies give rise to.			
S E	Independent state institution Local government	study	To provide newly arrived and foreign nationals with better conditions for learning Swedish, the city of Helsingborg is collaborating with AI Innovation of Sweden in its preparatory project "Test bed for AI-driven language learning" with the objective of creating a digital test environment that will accelerate the development of language learning tools. The project is run by the Labour Market Department of the City of Helsingborg (<u><i>Arbetsmarknadsförvaltningen, Helsingborgs stad</i></u>), in collaboration with AI Innovation	No	Yes Equality, gender equality	Sweden, AI Innovation of Sweden, Pre study: Test bed for AI-driven language learning, webpage, accessed 1 September 2020, available here Sweden, Sweden's Innovation Agency (<i>Vinnova</i>), New environments within the public sector for testing and developing innovations (<i>Nya miljöer inom offentlig sektor för test och utveckling av innovationer</i>), 8 May 2020, available here

			<p>of Sweden, Get AI, the Faculty of Engineering at Lund University (<i>Lunds Tekniska Högskola, <u>Lunds universitet</u></i>) and Lingio, an app dedicated to teaching Swedish. The project will run from May 2020 to the end of 2020 and is financed by Sweden' Innovation Agency (<i>Vinnova</i>). Pre-project aim: The project will prepare a digital test environment that enables rapid and small-scale development and testing of adaptive tools for language learning intended for new immigrants and people born abroad. The aim is to tailor and accelerate language learning and reach the groups that are not currently integrated in society due to lack of knowledge in the Swedish language. Pre-project focus: The preparation project is tasked with analysing and investigating the test bed developer's potential for future implementation and providing a decision-making basis for establishing a future test bed and a timetable and activity plan for implementation. The project will have an additional focus on</p>			
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			<p>seeing how AI-based teaching can include women who, for various reasons, do not participate in ordinary Swedish for Immigrant teaching (<i>Svenska för invandrare, SFI</i>), since these groups are currently difficult to reach. The planned test bed will be constructed in a virtual environment and will include a digital infrastructure that collects data from relevant domains and platforms. AI technology provides the opportunity to make training and educational content tailored to the individual's knowledge level and requirements, thereby increasing access to more equal and personalised language learning. The five work packages include 1) Needs and market analysis; 2) Intelligence analysis; 3) Equality analysis; 4) System analysis; and 5) Plan for moving forward.</p>			
S E	Academia	Study	<p>A new study led by researchers at Department of Physics, Chemistry and Biology (<i>Institutionen för fysik, kemi och biologi</i>) at Linköping University (<i>Linköpings universitet</i>) has for</p>	No	No	<p>Dwivedi, S., Tjärnberg, A., Tegnér, J. & Gustafsson, M. (2020), "Deriving disease modules from the compressed transcriptional space embedded in a deep</p>

		<p>the first time used in-depth learning to find disease-related genes. The researchers used a large database with information on how 20,000 different genes are expressed in a large population. The information was unsorted, in that the researchers did not tell the artificial neural network what gene expression that came from persons with the disease and what was linked to healthy people. Then the AI model was trained to find patterns in the gene expression. The study's findings were published in Nature in February 2020. Through close collaboration with researchers in medicine, the article's authors hope to make the study's approach applicable in precision medicine, for example to group which patient that should receive which medicine or decide which patient who has the most difficult disease. Article summary: Disease modules in molecular interaction maps have been useful for characterizing diseases. Yet, biological networks, which commonly define such modules, are</p>			<p>autoencoder" in <i>Nature Communications</i> volume 11, Article number: 856, 12 February 2020, available here</p> <p>Sweden, forskning.se (website publishing news about research results directly from Sweden's universities and research institutes), Artificial intelligence finds disease-related genes (<i>Artificiell intelligens hittar sjukdomsrelaterade gener</i>), 17 February 2020, available here</p>
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			<p>incomplete and biased toward some well-studied disease genes. The study asks whether disease-relevant modules of genes can be discovered without prior knowledge of a biological network, by training a deep autoencoder from large transcriptional data. The hypothesis is that modules could be discovered within the autoencoder representations. The study finds a statistically significant enrichment of genome-wide association studies (GWAS) relevant genes in the last layer, and to a successively lesser degree in the middle and first layers respectively. In contrast, the study finds an opposite gradient where a modular protein-protein interaction signal is strongest in the first layer, but then vanishing smoothly deeper in the network. The conclusion is that a data-driven discovery approach is sufficient to discover groups of disease-related genes.</p>			
S E	Business Academia	Report	The innovation program Media & democracy (<i>Medier & demokrati</i>) is a national collaboration	Yes	No	Sweden, Media & Democracy (<i>Medier & demokrati</i>) Digitalisation, data & AI change

		<p>platform for media innovation and social research. Its goal is to strengthen the media's innovative strength, journalism, the public discourse and democracy. A priority area for the platform is media-related AI innovation. In June 2020, the program published a report on AI in the media sector from based on international research and interviews with innovative key persons. The focus of the report is data-driven development and artificial intelligence. This is partly based on AI's broad and rapid growth as a social phenomenon. The other part is specifically based on the media sector. The report's aim is to be both easy to grasp and a contribution that captures the fundamental effects of digitalisation and presents more pointed reasoning and findings. The introductory chapter introduces the third decade of the IT boom. The next four sections contain interviews with experts working in AI development, not least related to the media industry. The viewpoints of the interviewees</p>			<p>journalism and the media business: Voices and arguments on the effects of the third decade's IT boom (<i>Digitalisering, data & AI förändrar journalistiken och medieaffären: Röster och resonemang om effekter av tredje decenniets IT-boom</i>), report 2020:02, 16 June 2020, available here</p> <p>Sweden, AI innovation of Sweden, Data and AI are transforming news media, news page, 22 June 2020, available here</p>
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			include: a) AI is not a part of a media organisation's IT but rather part of business operations; b) robots will be producing the majority of content in an average Swedish morning newspaper in five years' time; c) linguistic industries, such as media, can gain a lot from collaboration with the Swedish Language Data Lab ; d) machine learning creates conditions for sharpening the news sites' relationship with their audience; e) the transformation of journalism by automation and AI. The report is only available in Swedish.			
S E	Independent state institution	Other projects	The Swedish Innovation Agency (<i>Vinnova</i>) will give public sector the possibility to quickly get expert opinions on potential AI projects. The initiative aims to offload public organisations in the strained situation that has occurred because of the Corona crisis. AI Innovation of Sweden, a national centre for applied AI research and innovation, and the Swedish Association of Local Authorities and Regions (<i>Sveriges kommuner och</i>	No	No	Sweden, AI Innovation of Sweden, AI Innovation of Sweden to assist in initiative helping public organisations to use AI solutions, 1 April 2020, available here Sweden, Sweden's Innovation Agency (<i>Vinnova</i>), New initiative will facilitate the introduction of AI solutions in the public sector (<i>Ny satsning ska underlätta införande av AI-lösningar I offentlig</i>

			<p><i>regioner, SKR</i>) are assisting Vinnova in implementing the initiative. The offer is directed towards public organisations who rapidly want to start using AI solutions in their operations. They can now get free of charge expert opinions on possible AI projects to evaluate their potential and feasibility. As a result, organisations can act more quickly and while making sure the solutions keep a high standard and deliver a concrete value for the limited resources available. AI can make a big difference in a number of public operations. It can involve assistance in decision-making in the healthcare sector, advanced analyses for social security or adaptive tools for education. However, it is often a time-consuming procedure to assess the value of different solutions.</p>			<p><i>verksamhet</i>), 31 March 2020, available here</p>
S E	Academia	Study	<p>Researchers at the Department of Computing Science (<i>Institutionen för datavetenskap</i>) at Umeå University (<i>Umeå universitet</i>) are developing a framework for trustworthy AI. The research project Responsible</p>	Yes	No	<p>Sweden, Umeå University (<i>Umeå universitet</i>), Responsible AI grant, news page, 21 July 2020, available here</p>

		<p>Artificial INtelligence (RAIN) is supported with a grant of 1,500,000 SEK (€145,644) from Knut and Alice Wallenberg Foundation. Many guidelines for trustworthy AI have been produced in the past few years. These guidelines, including the ones by the European Commission's High-Level Experts Group, rely on promoting high-level context-specific values, such as transparency, fairness, and accountability. The interpretation of these values varies by culture to culture, stakeholder to stakeholder. The multi-interpretability of such terms may prove to be one of the greatest challenges of appropriately regulating intelligent systems and creating actionable policies. In the research project RAIN, the researchers are developing a structured methodology to enable organisations to move from high-level abstract values into operationalisable requirements. In addition to the methodology, RAIN is looking into the development of a concrete multi-stakeholder</p>			<p>Sweden, Umeå University (<i>Umeå universitet</i>), Responsible Artificial Intelligence (RAIN), available here</p>
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			assessment framework, alongside with relevant aid tools, to enable the auditability and compliance checking of existing and upcoming AI systems. Both the methodology and assessment frameworks will be field tested by industrial partners and key stakeholders in the Nordic countries.			
S E	Government	Other projects	On 19 March 2020, the government presented a so-called fact memorandum ²⁰⁷ to the parliament that dealt with both the Commission's Communication on a New Digital Strategy and the White Paper on AI and Data Strategy. Overall, the government welcomed both strategies and emphasised that the digital transformation is an enabler of trade and a more integrated and inclusive internal market. At the same time, it can lead to cross-border crime and all initiatives should be based on a thorough impact assessment. Furthermore, the government stressed that measures in this area need to be implemented	Yes	Yes Right to privacy, equality, gender equality, non-discrimination, personal integrity	Sweden, Government Offices (<i>Regeringskansliet</i>), Digital strategy, AI white book and data strategy (<i>Digital strategi, AI-vitbok och datastrategi</i>), Fact Memorandum (<i>Faktapromemoria 2019/20:FPM23</i>), 19 March 2020, available here

²⁰⁷ A fact memorandum is a report from the government to the parliament concerning a proposal from the European Commission. The memorandum includes what the proposal is about, how it may affect Swedish regulations and the government's position on the proposal.

			<p>with an ethical approach as an integrated part in the development of the measures. With regard to the White Paper on AI, the government is positive to the fact that starting point of the future general legal framework for AI highlights ethical guidelines for the development and use of AI, including a gender that is well in line with the government's national focus on AI.²⁰⁸ It is also positive that the White Paper has a well-thought-out gender equality perspective. The Government supports the Commission's focus as a first step in making a comprehensive analysis of the risks associated with AI that need to be addressed. The Government shares the Commission's assessment that it will be necessary to be clear about what is actually to be regulated and which scope is to apply. Regulation should be technology-neutral, proportionate and enable global competitiveness and free trade.</p>			
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²⁰⁸ Sweden, Government Offices (*Regeringskansliet*), National focus on artificial intelligence (*Nationell inriktning för artificiell intelligens*), N2018.14, 2018, [available here](#)

			<p>Furthermore, the government welcomes international cooperation on AI as it benefits both the EU and Sweden. However, the government states that the two strategies do not contain any proposals for legal amendments and will not have any direct effects on Swedish regulations.</p>			
S E	business	Other projects	<p>On 31 August 2020, the Confederation of Swedish Enterprise (<i>Svenskt Näringsliv</i>) presented a position paper on the European Commission's White Paper on AI. The confederation's paper included a number of key messages; a) concentrate the Commission's efforts on supporting research, innovation, skills and providing a robust digital infrastructure; b) define AI more narrowly in order to avoid over-regulation; c) design better regulation by reviewing and mapping the AI-relevant frameworks; d) note that self-regulation and sectorial codes of conduct offer considerable advantages over a legal intervention approach as technology continues to</p>	Yes	No	<p>Sweden, Confederation of Swedish Enterprise (<i>Svenskt Näringsliv</i>), Position Paper on the European Commission's White Paper on Artificial intelligence, 31 August 2020, available here</p>

			<p>advance; e) base any new regulation on regulation on principle-based and neutral technology to ensure it is futureproofed; f) define the concept 'high risk' narrowly. A clear approach to risk assessment should identify all high-risk cases without a requirement to list high-risk sectors or areas; g) do not close the door to the use of non-European data to power AI and produce the highest quality AI outcomes. The important is that the operations and conclusions of the AI itself are legally compliant.</p>			
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Chapter 6. Rights of the child

1. Measures taken during the COVID 19 to ensure the well-being of children living in poverty and the protection of children from violence.

<p>Measures to address the specific vulnerabilities of children living in poverty</p>	<p>Report to the UN Committee on the Rights of the Child</p> <p>In June 2020, the Ombudsman for Children in Sweden (<i>Barnombudsmannen</i>) submitted a report to the UN Committee on the Rights of the Child (the Committee). The report included a brief description of the Swedish strategy regarding Covid-19, effects and possible future effects on children and their rights in Sweden²⁰⁹. The Ombudsman i.e. states that children living in socio-economic vulnerability are at particular risk. Many already live in overcrowded apartments, and for those doing schoolwork at home, it may be more difficult if, e.g. parents and siblings are at home at the same time. For those, with parents who have lost their work/are unemployed due to Covid-19 or are ill/stay at home with sick children, the already bad financial situation becomes even worse²¹⁰.</p> <p>Furthermore, the government states that the economic situation due to the outbreak of Covid-19 risks hitting hard on families' finances. However, it is impossible to say exactly how the financial position of families looks like right now, as this data for 2020 are not yet available²¹¹. Nevertheless, the government took measures to reduce the risk of financial vulnerability among families due to Covid-19. On 13 May 2020, the government proposed a temporary supplementary allowance for families who are entitled to housing allowance (<i>bostadsbidrag</i>). The government argued that the temporary increase in the housing allowance would be a real benefit for households with weak finances. The funding is paid out in an amount corresponding to 25 % of the size of the preliminary</p>
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²⁰⁹ Sweden, Ombudsman for Children in Sweden (*Barnombudsmannen*), Additional submission to the UN Committee on the Rights of the Child from the Ombudsman for Children in Sweden focusing on Sweden's response to Covid-19, 15 June 2020, [available here](#)

²¹⁰ Sweden, Ombudsman for Children in Sweden (*Barnombudsmannen*), Additional submission to the UN Committee on the Rights of the Child from the Ombudsman for Children in Sweden focusing on Sweden's response to Covid-19, p. 5, 15 June 2020, [available here](#)

²¹¹ Sweden, Ministry of Finance (*Finansdepartementet*) Budget Bill for 2021, expenditure area 12 – *Financial security for families and children (Budgetproposition för 2021, utgiftsområde 12 – Ekonomisk trygghet för familjer och barn Prop. 2020/21:1)* p. 9, 21 September 2020, [available here](#)

housing allowance. This means that a family with children can receive up to 1,325 SEK (€127) per month in supplementary assistance. The housing allowance is tax-free. The amendment entered into force on 1 July 2020 and is valid until 31 December 2020.²¹²

Government assignment to analyse the consequences of covid-19 for children

On 30 July 2020, the government assigned the Ombudsman for Children (*Barnombudsmannen*) in Sweden to analyse and account for the consequences of covid-19 for children and young people in Sweden. Children in vulnerable situations and with special needs must be in focus. The lessons that can be learned from the results of the Ombudsman's for Children's work must be disseminated to the actors concerned. The assignment also includes collecting and reporting on children's and young people own experiences of the pandemic. The assignment must be reported no later than the 30 June 2021²¹³.

Increase in the maintenance support for single parents

In the Budget Bill for 2021, the government presented an increase in the maintenance support (*underhållsstöd*) for single parents. Maintenance support is a state support that is paid to single parents where the other parent who is supposed to pay child support (*underhållsbidrag*) does not pay. This proposal is not only related to financial consequences due to Covid-19. However, as the amount of maintenance support is not linked to the price development in society, an increase can only take place via legislative changes of the amount. The government, therefore, argues that there now is reason to increase the amount of maintenance support for children over 15 years with SEK 150 (€14) each month, and SEK 100 (€9,50) for children under 15 years. The change is proposed to enter into force on 1 June 2021²¹⁴.

²¹² Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) and Ministry of Finance (*Finansdepartementet*), The government strengthens the housing allowance for families with children (*Regeringen förstärker bostadsbidraget för barnfamiljer*) press release, 13 May 2020, [available here](#)

²¹³ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) (2020) Two new assignments to the Ombudsman for Children due to covid-19 (*Två nya uppdrag till Barnombudsmannen med anledning av covid-19*), press release, 30 July 2020, [available here](#)

²¹⁴ Sweden, Ministry of Finance (*Finansdepartementet*) Budget Bill for 2021, expenditure area 12 – *Financial security for families and children (Budgetproposition för 2021, utgiftsområde 12 – Ekonomisk trygghet för familjer och barn Prop. 2020/21:1)* pp. 21-22, 21 September 2020, [available here](#)

	<p>Upper secondary schools closing</p> <p>The upper secondary schools (<i>gymnasieskolorna</i>) in Sweden were physically closed from 18 Mars 2020 until 15 June 2020. The majority of the upper secondary schools in Sweden, usually, offers students one warm meal every day, but not during this period. After critique from many civil society organisations, some schools started to hand out free lunch boxes to students²¹⁵. The Swedish Association of Local Authorities and Regions (SALAR) (<i>Sveriges Kommuner och Regioner, SKR</i>) clarified that there were no requirements for the schools to provide free school meals at the upper secondary level. Consequently, there was no obligation for the schools to provide students with food allowance during the period when the school were closed. However, there was nothing that prevented the school principals (<i>skolhuvudmän</i>) from deciding to do so on a voluntary basis.²¹⁶</p> <p>Even if primary and secondary schools never were closed in Sweden during the Covid-19 outbreak, in April 2020, the government decided to introduce a temporary parental benefit (<i>tillfällig föräldrapenning</i>) in the event of a school closure. With the new regulations, parents, who must stay at home with children if schools or pre-schools had to close could receive the temporary parental benefit. This was a way to give financial security for parents who need to give up gainful employment in the case of school closure due to Covid-19.²¹⁷</p>
<p>Measures to protect children from violence</p>	<p>Government</p> <p>According to a public inquiry, about 210,000 children live in homes where there are various forms of violence either violence against children or violence between parents. Having to witness domestic violence as a child increases the risk of both physical and mental illness in both the short</p>

²¹⁵ Sweden, Magasinet Läraren (journal for teachers), This is how the municipalities solve the school meals for the students (*Så löser kommunerna gymnasieelevernas skolmat*) 31 Mars 2020, [available here](#)

²¹⁶ Sweden, Swedish Association of Local Authorities and Regions (SALAR) (*Sveriges Kommuner och Regioner, SKR*), Questions and answers about the municipality's responsibility for preschool and school in the event of an epidemic or pandemic (*Frågor och svar om kommuners ansvar för förskola och skola vid pandemic eller epidemi*), [available here](#)

²¹⁷ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Temporary provisions on temporary parental benefit due to covid-19 (*Tillfälliga bestämmelser om tillfällig föräldrapenning med anledning av Covid-19*), memorandum, 15 April 2020 [available here](#)

and long term. In order to strengthen the protection of these children, the above-mentioned inquiry has proposed the introduction of a penal provision on violation of a child's integrity (*barnfridsbrott*). The proposal meant that a person committing a criminal act against a close person should be convicted, not only for that criminal act itself but also for the violation of a child's integrity, if the action in question was witnessed by a child and was likely to damage the child's security or trust to any of these persons. The penalty scale was proposed to be imprisonment for a maximum of two years.²¹⁸ The proposed legislative changes are now being prepared further within the government offices and are expected to enter into force during 2021. Soon, the government also intends to commission a special investigator to develop a national strategy against violence against children, including honour-related violence and oppression.²¹⁹

Due to the government's expected bill on the introduction of the new penal provision, the appropriations for the Swedish Courts (*Sveriges domstolar*) and legal aid (*rättsliga biträden*) are increased in the Budget Bill for 2021.²²⁰ The strengthening of the protection for children witnessing a crime is not related to Covid-19 but as domestic violence is increased during the pandemic, this question has become even more relevant.²²¹

Measures taken to meet increased needs among victims of violence due to Covid-19

Extra financial support to civil society organisations

In April 2020, the government decided to allocate SEK 100 million (€9.2 million) to civil society organisations working with children and young persons in vulnerable situations, violence in close relationships and women, children and

²¹⁸ Sweden, Ministry of Justice (*Justitiedepartementet*), Protection for children who witness violence or other criminal acts and responsibility for inciting a person to commit suicide (*Straffrättsligt skydd för barn som bevittnar brott mellan närstående samt mot uppmaning och annan psykisk påverkan att begå självmord*, SoU 2019:32), [available here](#)

²¹⁹ Sweden, The Swedish Parliament (Sveriges Riksdag), Regular follow-up of violence against children (*Regelbunden uppföljning av våld mot barn*), answer on a written question (*Svar på skriftlig fråga*, 2020/21:418), 18 november 2020, [available here](#)

²²⁰ Sweden, Ministry of Justice (*Justitiedepartementet*), Increased funding to strengthen criminal law protection for children witnessing crime (*Höjda anslag för att stärka det straffrättsliga skyddet för barn som bevittnar brott*) press release, 21 September 2020, [available here](#)

²²¹ Sweden, Ministry of Justice (*Justitiedepartementet*), Increased funding to strengthen criminal law protection for children witnessing crime (*Höjda anslag för att stärka det straffrättsliga skyddet för barn som bevittnar brott*) press release, 21 September 2020, [available here](#)

LGBTQ-persons, who are exposed to violence.²²² This measure is also referred to in chapter 1 and chapter 7.

Publication focusing on the prevention of domestic violence

In June 2020, the Swedish Gender Equality Agency (*Jämställdhets-myndigheten*) published a compilation of information focusing on how regions and municipalities shall prevent domestic violence during the pandemic. According to the authority, the efforts to prevent and reduce the spread of covid-19 through various restrictions have resulted in increased isolation. For already vulnerable groups, especially children and women, isolation means an increased risk of being subjected to violence.²²³

Government assignment to develop methods to disseminate information

Furthermore, the government tasked the Swedish Gender Equality Agency (*Jämställdhetsmyndigheten*) to identify and develop effective methods for municipalities to disseminate information about domestic violence and honour-related violence and oppression. The task also included looking at how contact can be established with victims of violence. The assignment must be reported to the government no later than 26 February 2021.²²⁴

Government assignment to coordinate reports on the possible risks for social problems and vulnerability for children and young persons

On 12 June 2020, the government assigned the county councils (*Länsstyrelserna*) with the task to coordinate the situational awareness reports from municipalities and regions focusing on the possible risks for social problems and vulnerability for children and young persons. There is a risk that many social issues, such as violence in families and lack of meaningful activities and summer jobs for young people, will increase because of the pandemic. It is, therefore, essential to get an overall review of the situation in the country. The assignment may lead up to actions to prevent negative impacts due to measurements taken

²²² For more information about how children, among other groups, are exposed to violence, please see page 15 of the Franet country study released on 28 May 2020, [available here](#)

²²³ For more information on the publication, please see the Franet country study released on 30 June 2020, p. 13–14, [available here](#)

²²⁴ For more information about domestic violence and honour-related crime during Covid-19, please see page 13 of the Franet country study released on 29 July 2020, [available here](#)

during the Covid-19 outbreak. The assignment must be reported to the Ministry of Health and Social Affairs (*Socialdepartementet*) no later than 30 October 2020.²²⁵

Initiatives by civil society organisations

Vulnerability online

The corona pandemic has led to a situation where more children and young people are more at home and spend more time online. This leads to an increased risk of being subjected to sexual abuse and exploitation, as confirmed by the Swedish Police. The Police sees an increased activity online where perpetrators discuss that they are in a favourable position during the pandemic when more children are online, and control in some cases decreases²²⁶. To meet children's increased vulnerability online, the child rights organisation ECPAT Sweden, working against child sexual exploitation, has opened a particular support line, where children and young people can get help and advice on sexual abuse, threats and abuse online or in real life. The organisation states that they see an increased vulnerability among children during Covid-19, not only online, but also at home when schools and other activities for children are closed²²⁷. The new hotline is a phone- and e-mail-based support to children up to 18 years old and open Monday to Friday 9 AM until 4 PM²²⁸.

Extended opening hours for the helpline to meet an increased need

The organisation, Children's Rights in Society (*Barnets Rätt i Samhället, BRIS*), confirms that children are more vulnerable due to the Covid-19 outbreak. BRIS' support services offer children and young adults up to 18 years old a secure, anonymous and free way to email, chat, or call a counsellor at Bris. Since March, BRIS has extended opening hours for the helpline as a way to meet the increased need among children and young people. They

²²⁵ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Compilation of municipal measures to reduce social problems and vulnerability (*Sammanställning av kommunala åtgärder för att minska social problematik och utsatthet*), press release, 12 June 2020 [available here](#)

²²⁶ Sweden, Swedish Police (*Polisen*) (2020), Increased abuse against children online (*Övergrepp mot barn på nätet ökar*), press release, 27 March 2020, [available here](#)

²²⁷ Sweden, ECPAT Sweden (*ECPAT Sverige*) (2020), ECPAT opens a special support line for children and young people on sexual abuse (*ECPAT öppnar upp särskild stödlinje för barn och unga om sexuella övergrepp*) press release, 26 March 2020, [available here](#)

²²⁸ Sweden, ECPAT Sweden (*ECPAT Sverige*), ECPATs' support line for children and young people (*ECPATs stödlinje för barn och unga*) [available here](#)

state that the calls to the helpline went up with 30 % during the second half of March. More trouble and vulnerability at home, severe loneliness when isolation becomes the norm and more inaccessible support for children who need help.²²⁹

Digital community youth centres

Furthermore, the organisation Save the Children (*Rädda Barnen*), together with other organisations and companies, launched in April a digital community youth centre (*digitalt fritids*). They state that schools and community youth centres (*fritidsgårdar*) are important protective factors for children living in vulnerable situations. Children who live in families on the margins or where violence is part of everyday life risk losing the vital support that teachers, school health services (*elevhälsopersonal*) and youth leaders (*fritidsledare*) usually provide. When schools close entirely or partially or when children must be at home for periods, they quickly risk being left out of society's radar.

The new website www.digifritids.se²³⁰ is a website for children between 6 and 12, where they can hang out to play, have fun and learn new things – but also a place where there is support for the children who feel worried. The website increases the opportunity for children who are online to have access to safe adults who can guide children in their thoughts and contribute to psychosocial support²³¹.

New telephone helpline for persons worried about covid-19

In March 2020, the Swedish Red Cross opened a telephone helpline staffed by persons trained in psychological first aid. The helpline is not explicitly aimed at children, but everyone, who feels worried during the corona crisis and needs someone to talk with, is welcome to call. The helpline is opened Monday to Friday 12 to 4 PM²³².

Strengthening of existing chat hotline for youth

²²⁹ Sweden, Children's Right in Society (*Barnens Rätt i Samhället, BRIS*), Status report from BRIS during the Corona crisis (*Lägesbild från Bris under coronakrisen*), press release, 1 April 2020, [available here](#)

²³⁰ Sweden, Save the Children (*Rädda Barnen*) Welcome to a digital community youth centre (*Välkommen till digifritids*) [available here](#)

²³¹ Sweden, Save the Children (*Rädda Barnen*) Digifritids.se – a fun and safe space online (*Digifritids.se – en kul och trygg plats på nätet*) [available here](#)

²³² Sweden, Swedish Red Cross (*Svenska Röda Korset*), Red Cross helpline during the Corona crisis (*Röda Korsets stödtelefon under coronakrisen*), 25 March 2020, [available here](#)

	<p>Furthermore, the Red Cross Youth Association (<i>Röda Korsets Ungdomsförbund</i>) strengthened up their existing chat hotline Everyday Friend (<i>Jourhavande kompis</i>) with increased opening hours²³³. Everyday Friend is a chat hotline for everyone under 25 years. The volunteers of Everyday Friend are young people and no experts. However, whatever a person wants to talk about, they listen²³⁴.</p>
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2. Legal and policy measures or initiatives developed about criminal proceedings

<p>Legislative changes</p>	<p>Amendments as a result of the EU Directive 2016/800</p> <p>In 2019, a few legal amendments were adopted because of the EU Directive 2016/800 on Procedural Safeguards for Children who are Suspects or Accused Persons in Criminal Proceedings (Children's Directive). The amendments entered into force on 11 June 2019. For more information about these legislative changes, please see Chapter 6 of the Annual Report 2019. There have not been any further legislative changes since that, according to the Directive.</p> <p>Government bill on more efficient handling of detention and reduced isolation</p> <p>However, a related issue that has been discussed extensively relates to the international criticism Sweden has received since there is no limit to how long a suspect person can be placed in detention. The Council of Europe's anti-torture committee is one of the bodies that have been critical of Sweden.²³⁵ As a result, the government proposed the introduction of a time limit for how long a suspect person can be held in detention.²³⁶ A person who has reached the age of 18 should be able to be held in custody</p>
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²³³ Sweden, Red Cross Youth (*Röda Korsets Ungdomsförbund*) This is how we handle the corona virus (*Så här hanterar vi coronaviruset*) 20 March 2020, [available here](#)

²³⁴ Sweden, Red Cross Youth (*Röda Korsets Ungdomsförbund*) Everyday Friend (*Jourhavande kompis*) [available here](#)

²³⁵ Sweden, Radio Sweden (*Sveriges Radio*) (2020) The government amends the criticized proposal on detention periods (*Regeringen ändrar kritiserat förslag om häktningstider*) 20 May 2020, [available here](#)

²³⁶ Sweden, Ministry of Justice (*Justitiedepartementet*) (2020) More efficient handling of detention and reduced isolation (*Effektivare hantering av häktningar och minskad isolering, prop. 2019/20:129*) Government Bill, 19 Mars 2020, [available here](#)

for a maximum time of 6 months.²³⁷ The equivalent for a person under 18 should be 3 months.²³⁸ Furthermore, a suspect who is under 18 and detained, should have the right to stay with staff or another person for at least 4 hours every day in order to reduce isolation.²³⁹ The section does not state exactly what type of contacts can be counted as a “stay with another person”. However, it is crucial that the contact can be seen as meaningful and help reduce isolation²⁴⁰. The Swedish parliament’s Justice Committee (*Justitieutskottet*) currently prepares the government bill.²⁴¹

However, the proposal of a 6-month time limit has been criticised by the opposition parties for being too short. They argue that it could complicate the police's opportunities to investigate some crimes. As a result, the compromise, between the government and the opposition parties, will probably be the introduction of a time limit of a full 9 month in detention.²⁴²

Furthermore, the time limit for suspect persons under 18 was criticised by the Left Party (*Vänsterpartiet*) for not being compatible with the UN Convention on the Rights of the Child (CRC). They propose that the longest period for detained children should be 30 days instead of 3 months. They share this view with the Ombudsman for Children (*Barnombudsmannen*).²⁴³ However, the Children’s Convention Inquiry (*Barnkonventionsutredningen*) also investigated this in its final report, published on 12 November 2020. The inquiry had the task to investigate the degree to which the Swedish legislation is in accordance with the CRC, given that the convention was

²³⁷ The proposal is to introduce a new section 4a in chapter 24 of the Code of Judicial Procedure (*Rättegångsbalken [1942:740]*), 18 July 1942, [available here](#)

²³⁸ The proposal is to introduce a new section 23a of the Act with special provisions on young offenders (*Lag [1964:167] med särskilda bestämmelser om unga lagöverträdare*), 20 March 1964, [available here](#)

²³⁹ The proposal is to introduce a new section 5a in chapter 2 of the Act on Detention (*Häkteslagen [2010:611]*), 10 June 2010, [available here](#)

²⁴⁰ Sweden, Ministry of Justice (*Justitiedepartementet*) (2020) More efficient handling of detention and reduced isolation (*Effektivare hantering av häktningar och minskad isolering, prop. 2019/20:129*) Government Bill, p. 63, 19 Mars 2020, [available here](#)

²⁴¹ Sweden, Swedish Parliament (*Riksdagen*), More efficient handling of detention and reduced isolation (*Effektivare hantering av häktningar och minskad isolering*), Report of the Committee on Justice (*Justitieutskottets betänkande 2019/20:JuU43*) [available here](#)

²⁴² Sweden, Radio Sweden (*Sveriges Radio*) (2020) The government amends the criticized proposal on detention periods (*Regeringen ändrar kritiserat förslag om häktningstider*), 20 May 2020, [available here](#)

²⁴³ Sweden, Swedish Parliament (*Riksdagen*), Member Bill 2019/20:3559 (*Motion 2019/20:3559*), By reason of government bill 2019/20:129 More efficient handling of detention and reduced isolation (*Med anledning av prop. 2019/20:129 Effektivare hantering av häktningar och minskad isolering*), 6 April 2020, [available here](#)

incorporated into Swedish law on 1 January 2020. The inquiry confirms that the government's proposal of a time limit for how long a suspect person under 18 can be held in detention is necessary in order to meet the requirements of the CRC. However, the committee does not argue for a shorter time limit than 3 months, as the Left Party and the Ombudsman for Children does. Instead, it states that, with a time limit of 3-month, Swedish law will be in line with the CRC²⁴⁴.

Furthermore, the inquiry confirms the proposal of legislative changes in the Act on Detention (*Häkteslag [2010:611]*)²⁴⁵ concerning the right of a detained person under 18 to stay with another person for at least four hours every day. They argue that the amendment is necessary for Swedish legislation to be compatible with Section 37 (c) of the CRC.²⁴⁶

The Swedish parliament's Committee on Justice prepares the parliament's position on the government bill on time limits on detention.²⁴⁷ It wishes to change the bill to allow the detention of a suspect for a maximum of nine months until charges have been brought (instead of the suggested six months. According to the Committee, this time limit would constitute a more reasonable balance between, on the one hand, the need to prevent the longest detention periods and, on the other hand, the importance of neither deteriorating the conditions for the investigative work nor the possibility of prosecution. However, the Committee on Justice decided to send a referral to the Legislative Council (*Lagrådet*) to obtain its opinion on these potential changes before finalising its position on the proposals in question.

According to the Legislative Council's opinion, the Committee on Justice's referral did not provide a basis for the conclusion that a time limit for detention of six months would make it more difficult to carry out effective investigations of serious and difficult-to-investigate

²⁴⁴ Sweden, Ministry of Employment (*Arbetsmarknadsdepartamentet*) (2020), UN Convention on the Rights of the Child and Swedish law (*Barnkonventionen och svensk rätt, SoU 2020:63*), 12 November 2020, p. 1465, [available here](#)

²⁴⁵ Sweden, Act on Detention (*Häkteslag [2010:611]*), 10 June 2010, [available here](#)

²⁴⁶ Sweden, Ministry of Employment (*Arbetsmarknadsdepartamentet*) (2020), UN Convention on the Rights of the Child and Swedish law (*Barnkonventionen och svensk rätt, SoU 2020:63*), 12 November 2020, p. 1469, [available here](#)

²⁴⁷ Sweden, Ministry of Justice (*Justitiedepartementet*), More efficient handling of custody cases and reduced isolation (*Effektivare hantering av häktningar och minskad isolering*), 24 March 2020, [available here](#)

crimes. With a time limit of nine months, there is instead a risk that the view of what is proportional will be shifted in a way that may lead to increased detention times. Consequently, the Legislative Council rejected the Committee on Justice's proposal to amend the proposals of the government bill on 3 November 2020.²⁴⁸

Since the Legislative Council's rejection, the Committee on Justice has continued its work. The Committee estimates that its final proposal for decision will be published on 12 March 2021.²⁴⁹ Thus, the amendments of the government bill will not enter into force until this proposal has been debated in and accepted by the parliament during the spring of 2021.²⁵⁰

A final decision on these issues will probably be made later this year or next year.

Suggestion to abolish the so-called youth discount on penalties

Another related issue concerns the government's drafting of a proposal to abolish the so-called youth discount (*ungdomsrabatten*) for 18–20-year-olds offenders. In the current system persons who are 18 years old and commit serious crimes, such as robbery, aggravated assault, and aggravated extortion have their penalties reduced by half.²⁵¹ If the proposal to abolish the youth discount in time was passed by the parliament, it would mean that there would be more prisoners in the Swedish prisons. This will lead to increased costs for the Swedish Prison and Probation Service (*Kriminalvården*). Therefore, the government will strengthen the Swedish Prison and Probation Service's appropriations by an additional

²⁴⁸ Sweden, Legislative Council (*Lagrådet*), The Legislative Council's opinion on a proposal of an act amending the Code of Judicial Procedures in the Committee on Justice's case 2020/21:JuU34 More efficient handling of custody cases and reduced isolation (*Lagrådets yttrande över ett förslag till lag om ändring i rättegångsbalken i justitieutskottets ärende 2020/21:JuU34 Effektivare hantering av häktningar och minskad isolering*), 3 November 2020, [available here](#)

²⁴⁹ Sweden, Swedish Parliament (*Riksdagen*), More efficient handling of custody cases and reduced isolation (*Effektivare hantering av häktningar och minskad isolering*), Committee on Justice report 2020/21:JuU43 (*Justitieutskottets betänkande 2020/21: JuU43*), accessed 5 January 2021, [available here](#)

²⁵⁰ Sweden, Swedish Parliament (*Riksdagen*), More efficient handling of custody cases and reduced isolation (*Effektivare hantering av häktningar och minskad isolering*), Committee on Justice report 2020/21:JuU43 (*Justitieutskottets betänkande 2020/21: JuU43*), accessed 5 January 2021, [available here](#)

²⁵¹ Sweden, Ministry of Justice (*Justitiedepartementet*) (2020) Further investments in the judicial system in the budget bill (*Ytterligare satsningar på rättsväsendet i budgetpropositionen*), press release, 17 September 2020, [available here](#)

	approximately 455 million SEK (€ 42 million) from 2022. This is declared in the budget bill for 2021. ²⁵²
Policy developments	Nothing to report.
Other measures or initiatives	<p>Study of young people in detention</p> <p>In 2019, the Swedish Prison and Probation Service initiated a study with the aim to deepen the knowledge about children and young people in detention. For one year, from September 2019 to August 2020, the researchers surveyed all young persons between the ages of 15 and 20, who were detained in Sweden. Among other things, they looked at their individual needs during their detention and each persons' background factors. This survey's aim is to contribute to a broader picture of this group of criminals and raise the awareness of their background, what risks and needs they have and what isolation-breaking measures that were implemented in every single case.</p> <p>The final report is expected to be published in 2021.²⁵³</p>

²⁵² Sweden, Ministry of Finance (*Finansdepartamentet*) Budget Bill for 2021, expenditure area 4 – The Judicial System (*Budgetproposition för 2021, utgiftsområde 4 – Rättsväsende Prop. 2020/21:1*) p. 59, 21 September 2020, [available here](#)

²⁵³ Sweden, Swedish Prison and Probation Service (*Kriminalvården*) (2019), With a focus on children in detention (*Med fokus på barn i häkte*), press release, 27 December 2020, [available here](#)

Chapter 7. Access to justice, including crime victims

1. Victims' Rights Directive

A lot of the information provided in this chapter relates to articles 25 and 26 of the Victim Directive. These articles concern awareness-raising, capacity-building and preventing repeat victimisation. They also are the focus of the Swedish government.

The Swedish courts have never been closed during the corona crisis. The Sweden's Courts (*Sveriges domstolar*) have presented statistics related to the corona virus and the operations of the courts on a weekly basis.²⁵⁴ The proportion of cancelled hearings has increased moderately and the use of video conferences for court hearings has increased. The Swedish National Courts Administration (*Domstolsverket*) states that there is no aggregated information on the types of court hearings that make use of video conferences, but the technology is in place in the courts in order to enable all types of hearings. However, the authority stresses that it is always the judge of the individual case who decide if and when video conferences should be used.²⁵⁵

New legislation

In 2019, a provision in the Criminal Code (*Brottsbalk [1962:700]*) on aggravating circumstances in determining the penal value of a crime was amended. A new section²⁵⁶ has been added stipulating that when assessing the penal value, it should be considered if the crime was committed against a person because he, she, or a close relative held a position as an elected representative in a state, a municipality or a region, or in the Sami Parliament or the European Parliament.²⁵⁷ Certain offences have been exempted from the statute of limitations such as rape, aggravated rape and, and rape against children and aggravated rape against children and violation of the Act prohibiting genital mutilation of women if the crime was committed against a person under 18 years of age.²⁵⁸

On 1 July 2020, section 13 of the Criminal Injuries Compensation Act (*Brottsskadelag [2014:322]*) expired.²⁵⁹ Consequently, the Swedish Crime Victim

²⁵⁴ Sweden, Sweden's Courts (*Sveriges domstolar*), Statistics related to the coronavirus (*Statistik med anledning av coronaviruset*) available here For more information about the Swedish Courts and access to justice during the corona crisis see the Franet country study released on 30 June 2020, p. 8–9, available here

²⁵⁵ Sweden, E-mail correspondence with Swedish National Courts Administration (*Domstolsverket*), 30 June 2020

²⁵⁶ Sweden, Criminal Code (*Brottsbalk [1962:700]*), Ch. 29, section 2, 1 January 2020, available here

²⁵⁷ Sweden, Ministry of Justice (*Justitiedepartementet*), Crime against elected representatives (*Brott mot förtroendevalda*) 23 May 2019 available here

²⁵⁸ Sweden, Ministry of Justice (*Justitiedepartementet*), Child pornography offenses and statute of limitation of offenses against children (*Barnpornografibrottet och preskription av brott mot barn, prop. 2019/2020:69*), government bill, 28 January 2020, available here

²⁵⁹ Sweden, Act on compensation to crime victims (*Brottsskadelag [2014:322]*), 15 May 2014, available here

Authority (*Brottsoffermyndigheten*) will no longer deduct a sum of 1,500 SEK (€144) from the crime victims' criminal injury compensation, thus leaving the full compensation to the crime victim. The change was made to create a more straightforward compensation system that treats all crime victims equally. Besides, it also means that Sweden's legislation better complies with the EU's Terrorism Directive that stipulates that victims of terrorist crimes should receive free support.²⁶⁰

On 1 July 2020, the legislation on honour-related crimes was amended with new provisions on child marriage, travel bans and penalties for offences with honour motives. A travel ban has been introduced to protect children at risk of being taken out of Sweden and being subjected to child marriage or genital mutilation. If a child is subject to a travel ban, the child cannot obtain a passport, and a violation of the travel ban will be a punishable offence²⁶¹. A prohibition to disseminate pictures taken during trials was also introduced during 2020 expanding the ban that already exists to take photos in courtrooms.²⁶²

Government bills

New provision on crime victims proposed in new Social Services Act

A governmental report on a new Social Services Act, which includes proposals that may affect crime victims, was presented during 2020.²⁶³ A new provision on crime victims is proposed, which is worded somewhat differently than the provision in effect. It states that the municipal social welfare boards (*socialnämnden*) shall offer crime victims support in order to help the victims and their relatives.²⁶⁴ The report also includes a proposal for a provision stating that individuals should be treated respectfully based on their circumstances and needs. A major reform in the government bill is to lower the threshold to receive social services by offering measures without a needs assessment (*behovsprövning*).²⁶⁵ It is pointed out that groups that are affected by these proposals are children and young people exposed to violence and oppression of honour, women exposed to men's violence, men who

²⁶⁰ Sweden, Swedish National Crime Victim Authority (*Brottsoffermyndigheten*), Abolished basic deduction for criminal injury compensation from 1 July 2020, (*Slopät grundavdrag för brottsskadeersättning från 1 juli 2020*) news release, 14 June 2020, available here

²⁶¹ Sweden, Ministry of Justice (*Justitiedepartementet*), Increased protection against honour-related crimes (*Ökat skydd mot hedersrelaterad brottslighet, Prop. 2019/20:131*) government bill, 24 March 2020 available here

²⁶² Sweden, Ministry of Justice (*Justitiedepartementet*), A prohibition to disseminate pictures taken during trials (*Ett förbud mot spridning av bilder från rättegångar*), 23 January 2020, available here

²⁶³ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2020) Sustainable Social Services – A new Act on Social Services (*Hållbar socialtjänst – En ny socialtjänstlag, SOU 2020:47*) Public Inquiry, 26 August 2020, available here

²⁶⁴ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Sustainable Social Services – A new Act on Social Services (*Hållbar socialtjänst – En ny socialtjänstlag, SOU 2020:47*), public inquiry, p. 80, 26 August 2020, available here

²⁶⁵ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Sustainable Social Services – A new Act on Social Services (*Hållbar socialtjänst – En ny socialtjänstlag, SOU 2020:47*), public inquiry, p. 691, 26 August 2020, available here

beat women, people with substance abuse or criminal lifestyles or people with mental disabilities.

Anticipated new criminal offence – violation of a child’s integrity

In 2019, public inquiry proposed the introduction of a new offence; the violation of a child’s integrity (*barnfridsbrott*). The proposal means that a person who commits a criminal act against a close relative will be convicted of violating a child’s integrity if the act is witnessed by a child and is likely to damage the child's security or trust in relation to any of these persons. According to the government’s budget bill for 2021, the government intends to present a bill to the parliament proposing the amending of the Criminal Code (*Brottsbalk [1962:700]*)²⁶⁶ next year, introducing the offence violation of a child’s integrity. Anticipating the government's forthcoming bill, the budget increases the appropriations for the Swedish courts and legal aid. The Prison and Probation Service's appropriations also increase to include costs for certain criminal law reforms.²⁶⁷ This was mentioned in more detail in chapter 6. The offence is related to an already existing crime against women, labelled violation of a woman’s integrity (*kvinnofridsbrott*).

Public inquiry reviews the possibility to testify anonymously

The Swedish parliament has announced to the government that a possibility for witnesses to testify anonymously should be investigated. In 2019, a public inquiry²⁶⁸ was established tasked with investigating possible measures aimed at strengthening the legal process and step-up law enforcement, including crimes that have links to criminal networks. The public inquiry is assigned to analyse if a system with so-called crown witnesses should be introduced and whether an opportunity to testify anonymously should be introduced.²⁶⁹

Public inquirer to consider how to decrease the recruitment of young persons into criminal gangs

In June 2020, the government assigned a public inquirer who will consider and submit proposals for amendments of the legislation that entail stricter and more effective criminal law regulations against crimes in criminal networks, especially in relation to settling scores among criminal gangs, to drug trafficking and acts aimed at involving young persons in criminal pursuits.²⁷⁰ The inquiry is part of an effort

²⁶⁶ Sweden, Criminal Code (*Brottsbalk [1962:700]*), 21 December 1962, [available here](#)

²⁶⁷ Sweden, Ministry of Justice (*Justitiedepartementet*), Increased funding to strengthen criminal law protection for children witnessing crime (*Höjda anslag för att stärka det straffrättsliga skyddet för barn som bevittnar brott*) press release, 21 September 2020, available here

²⁶⁸ Sweden, Ministry of Justice (*Justitiedepartementet*), A strengthened legal process and increased prosecution (*En stärkt rättsprocess och ökad lagföring, Dir. 2019:85*) committee directive, 21 November 2019, available here

²⁶⁹ Sweden, Ministry of Justice (*Justitiedepartementet*), Criminal law measures against crimes in criminal networks (*straffrättsliga åtgärder mot brott i kriminella nätverk*), press release, 12 June 2020, available here

²⁷⁰ Sweden, Ministry of Justice (*Justitiedepartementet*) Criminal law measures against crimes in criminal networks (*Straffrättsliga åtgärder mot brott i kriminella nätverk*), Dir. 2020:162, 12 June 2020, [available here](#)

to put further pressure on the criminal networks and make it more difficult to recruit new young members.

2020 study on the support of hate crime victims

The National Council for Crime Prevention (*Brottsförebyggande rådet, Brå*) published a study in 2020 on the support of hate crimes victims intending to identify to which extent this group of victims were offered and received support. Only for 9 per cent of the crimes, the victims had been offered support from a civil society organisation. The proportion of hate crimes where victims stated that they needed support that was not available was 22 per cent. The likelihood of getting support was strongly connected to the reporting of crimes. Those who had reported crimes were seven more likely to get support than victims who had not reported²⁷¹. This report was mentioned in chapter 2.

2. Violence against women

Government assignment on how violence or other forms of abuse are taken into account in custody, residence, or contact cases concerning children

In May 2020, the government commissioned the Gender Equality Authority (*Jämställdhetsmyndigheten*) to assess how information about violence or other forms of abuse is taken into account in custody, residence, or contact cases concerning children.²⁷² The authority shall review judgments of such cases to survey if and how information about violence or other abuse of one parent against the other parent or a child are considered in them. Any circumstances or conditions particular for persons subjected to honour-related violence and oppression must be highlighted in the review. The starting point for the assignment is the UN Convention on the Rights of the Child, incorporated into Swedish legislation since 1 January 2020. The assignment shall be carried out in collaboration with the Family Law and Parental Support Authority (*Myndigheten för familjerätt och föräldraskapsstöd, MFoF*) and be reported to the government no later than 31 December 2021. The Gender Equality Authority may use up to 1.2 million SEK (€115,310) in 2020 for the assignment.²⁷³

Government assignment on violence prevention initiatives focusing on boys and young men

In July 2020, the government instructed the Gender Equality Authority (*Jämställdhetsmyndigheten*) to develop the work on violence prevention initiatives

²⁷¹ Sweden, National Council for Crime Prevention (*Brottsförebyggande rådet, BRÅ*) (2020) Support of hate crime victims (*Stöd till hatbrottsutsatta*) short analysis, available here

²⁷² Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), The Gender Equality Authority shall review how violence is considered in custody rulings (*Jämställdhetsmyndigheten ska kartlägga hur våld beaktas i vårdnadsdomar*), press release, 7 May 2020, available here

²⁷³ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), The Gender Equality Authority shall review how violence is considered in custody rulings (*Jämställdhetsmyndigheten ska kartlägga hur våld beaktas i vårdnadsdomar*), press release, 7 May 2020, available here

focusing on boys and young men. The authority shall submit proposals on how coordination between the various relevant authorities can be strengthened with regard to primary preventive violence prevention measures to prevent men's violence against women, violence in close relationships, honour-related violence and oppression and violence in young people's partner relationships.²⁷⁴ The Gender Equality Authority must also produce and submit proposals on how violence prevention work can be followed up in the short and long term. The proposals shall be developed in collaboration with the Swedish National Council for Crime Prevention (*Brottsförebyggande rådet, Brå*) the Swedish Police (*Polisen*), Barnafriid – a national centre for knowledge concerning violence against children at Linköping University (*Linköpings universitet*), the Delegation against Segregation (*Delegationen mot segregation, Delmos*), the Public Health Agency (*Folkhälsomyndigheten*), the County Administrative Boards (*Länsstyrelserna*), and other relevant authorities. The Gender Equality Authority shall also attain the position of Sweden's Local Authorities and Regions (*Sveriges kommuner och regioner, SKR*) and civil society organisations that work with violence prevention efforts for young people.²⁷⁵ The government states that this assignment should be considered as part of the government's work with one of the sub-goals of its ten-year national strategy to prevent and combat men's violence against women. The sub-goal is "Men's violence against women must end".²⁷⁶ The Gender Equality Authority must report the assignment to the government by 31 March 2021.²⁷⁷

Analysis of the effects of the introduction of the so-called consent law

The new consent-based law that entered into force in 2018 has been analysed by the National Council for Crime Prevention (*Brottsförebyggande rådet, BRÅ*). The so-called consent law (*samtyckeslagen*) refers to certain amendments of chapter 6 of the Criminal Code (*Brottsbalk [1962:700]*) under the heading Sexual offences (*Sexualbrott*). The amendments that entered into force on 1 July 2018 clarified that all sexual acts carried out without the consent of the other party are considered criminal offences. Thus, a new sexual offence was introduced – "negligent rape" (*oaktsam våldtäkt*).²⁷⁸ The authority's review showed a marked increase in the number of prosecutions and convictions since the law was changed.

²⁷⁴ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Assignment on the development of coordination concerning violence prevention initiatives (*Uppdrag om utveckling av samordning avseende våldsförebyggande insatser*), reg no: A2020/01468/JÄM, 3 July 2020, available here

²⁷⁵ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Assignment on the development of coordination concerning violence prevention initiatives (*Uppdrag om utveckling av samordning avseende våldsförebyggande insatser*), reg no: A2020/01468/JÄM, 3 July 2020, available here

²⁷⁶ Sweden, Ministry of Health and Social Welfare (*Socialdepartementet*), Power, Aim, and Authority: Feminist politics for an equal future (*Makt, mål, myndighet: feministisk politik för en jämställd framtid, Skr. 2016/17:10*), 21 November 2016, available here

²⁷⁷ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Assignment on the development of coordination concerning violence prevention initiatives (*Uppdrag om utveckling av samordning avseende våldsförebyggande insatser*), reg no: A2020/01468/JÄM, 3 July 2020, available here

²⁷⁸ Sweden, Criminal Code (*Brottsbalk [1962:700]*), chapter 6, sections 1 and 1 a, 1 July 2018, [available here](#)

The number of convictions increased with 75 % from 2017 to 2019. This indicates, according to the National Council for Crime Prevention that the consent-based legislation influenced the number of legal proceedings largely than what was believed. Only a tiny proportion of the new convictions, however, involve the new crime negligent rape.²⁷⁹

Review of cases of restraining orders

The legislation on restraining orders has been changed several times. In 2019, the Swedish Prosecution Authority (*Åklagarmyndigheten*) made a review of 600 cases of restraining orders and examined whether amendments in the law had led to any effects. The 600 cases in focus were restraining order requests that had reached a decision during the period 1 April 2018 to 31 December 2018. In one third of these cases a restraining order had not been granted while the in the other two thirds a restraining order had been granted.²⁸⁰

According to the review, the purpose of a restraining order is to prevent threatening and dangerous situations and to prevent anyone who has previously been subjected to any form of abuse or serious harassment from being attacked again by the same perpetrator. A restraining order must also enable the Police to intervene immediately in situations that are perceived as threatening or frightening for the person whom the restraining order intends to protect. The regulations are most important for persons who are at risk of being subjected to serious harassment or crimes by persons they have or have previously had a close relationship with. However, there are no requirement of a special relationship between the protected person and the person to whom the restraining order is aimed. The question of imposing a restraining order is either raised at the request of the person in need of protection or when there is other reasons for raising the question. There are no formal requirements for how a request for a restraining order should be made, and such a request can be made both orally and in writing to both the Police and the Public Prosecutor's Office. The processing must always be prompt. In the case of restraining orders regarding shared housing, the prosecutor's decision in the case must be announced with special urgency. The Public Prosecutor's Office has an urgency requirement stating that a decision on a restraining order must be announced within one week after the application has been received at a prosecutor's office. For restraining orders in cases with shared housing and in cases with particularly extended restraining orders, a decision must

²⁷⁹ Sweden, National Council for Crime Prevention (*Brottsförebyggande rådet, BRÅ*) (2020) The new consent law in practice: An updated review of the changes in 2018 to the legal rules concerning rape (*Den nya samtyckeslagen i praktiken: En uppföljning av 2018 års förändringar av lagreglerna rörande våldtäkt*), Report 2020:6, English summary available [here](#), Swedish version available [here](#)

²⁸⁰ Sweden, Swedish Prosecution Authority (*Åklagarmyndigheten*) and the Swedish Police (*Polisen*) (2020), Restraining orders - A survey of the application with comments on the observations (*Kontaktförbud – en kartläggning av tillämpningen med synpunkter på iakttagelserna*) supervision report, April 2020, [available here](#)

be notified within four days. During the weekends, on-call prosecutors can receive restraining order requests.²⁸¹

The review mainly showed: 1) a need for statistical tools enabling follow-up, analysis and development at strategic and local level; 2) a need to minimise the number of requests that do not meet the basic requirements for a restraining order; 3) a need to ensure the possibility of using electronic monitoring; 4) a need for development of both theoretical and practical competence; 5) a need for increased focus on documentation, especially of oral directives and communication; and 6) a need for review of certain control documents. The review ended with stating that the focus for continued development in the area should now be based on strategic measures in order to increase uniformity and reduce shortcomings of the processing of restraining orders.²⁸²

Research overview of violence prevention methods

A research overview of violence prevention methods, carried out on behalf of the Gender Equality Authority (*Jämställdhetsmyndigheten*), shows that few methods used to prevent men's violence against women have been evaluated, and even fewer have been evaluated for impact.²⁸³ In total, the researchers have reviewed 93 methods. Of these, 16 methods were analysed in more detail. The researchers stated that even though there are many violence prevention initiatives in Sweden, structured prevention programs are lacking in many areas. The research overview showed that most violence prevention initiatives in Sweden have not been evaluated or have lesser quality evaluations. The vast majority of universal violence prevention measures are not structured or adequately described, which means that it is impossible to evaluate their effect. Some evaluations included in the research overview showed that the participants' attitudes to violence had changed after reviewing the program or method. However, few evaluations had measured changes in behaviour, and consequently, they could not show that the use of violence had decreased in practice.²⁸⁴ The researchers pointed out that several methods contained components that prevention research has identified as success factors for universal violence prevention. It is, therefore, possible that these methods will show positive effects and lead to reduced violence. However, it is impossible to know because they have not been evaluated in this way. The researchers stressed that resources should primarily be invested in evaluating the

²⁸¹ Sweden, Swedish Prosecution Authority (*Åklagarmyndigheten*) and the Swedish Police (*Polisen*) (2020), Restraining orders - A survey of the application with comments on the observations (*Kontaktförbud – en kartläggning av tillämpningen med synpunkter på iakttagelserna*) supervision report, April 2020, [available here](#)

²⁸² Sweden, Swedish Prosecution Authority (*Åklagarmyndigheten*) and the Swedish Police (*Polisen*) (2020), Restraining orders - A survey of the application with comments on the observations (*Kontaktförbud – en kartläggning av tillämpningen med synpunkter på iakttagelserna*) supervision report, April 2020, [available here](#)

²⁸³ Franzén, A. & Gottzén, L. (2020) Violence prevention in Sweden: A research overview (*Våldsprevention i Sverige: En forskningsöversikt*), Department of Child and Youth Studies (*Barn- och ungdomsvetenskapliga institutionen*), Stockholm University (*Stockholms universitet*), available here

²⁸⁴ Franzén, A. & Gottzén, L. (2020) Violence prevention in Sweden: A research overview (*Våldsprevention i Sverige: En forskningsöversikt*), Department of Child and Youth Studies (*Barn- och ungdomsvetenskapliga institutionen*), Stockholm University (*Stockholms universitet*), available here

promising programs and initiatives already in use in the country rather than spend more resources on developing new ones. There is a need to have a systematic approach to program development to make it possible to evaluate the effect of programs and initiatives in Sweden. Many projects are promising, but they can rarely show results other than the fact that the users thought it was rewarding to be involved.²⁸⁵ According to the research report, the prevention interventions described in the overview were above all universal and primary prevention programs and partly of a tertiary character. They were mainly focused on the group level, but some focused on the organisational level. More long-standing universal programs had only recently become more common in Sweden. Violence prevention programs that targeted men who had already used violence against women were not included in the overview. In recent years, treatment of young men who had committed sexual violence and/or violence in close relationships has been developed. However, the research overview stated that international research showed an ambiguous effect of these efforts as had Swedish evaluations. Nevertheless, the report maintained that research was cautiously optimistic about the possibility of treatment efforts to create long-term changes.²⁸⁶

Chapter 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

1. CRPD policy & legal developments

Special inquirer to review the possibilities to strengthen the right to personal assistance

In January 2020, the government appointed a special inquirer (*utredare*) to review the possibilities to strengthen the right to personal assistance and support as a part of the work to implement the CRPD. The personal assistance is regulated in the Act on support and service to certain persons with disabilities²⁸⁷ and aims at supporting the individual's independence in accordance with Sweden's national goal for its disability politics. The inquirer is to propose solutions that can give long-term stability for both the individual and society. Furthermore, the inquirer shall review the parental responsibility in the area with the aim to decrease the parents' responsibilities in order to relieve the parents. The overall aim is to

²⁸⁵ Franzén, A. & Gottzén, L. (2020) Violence prevention in Sweden: A research overview (*Våldsprevention i Sverige: En forskningsöversikt*), Department of Child and Youth Studies (*Barn- och ungdomsvetenskapliga institutionen*), Stockholm University (*Stockholms universitet*), available here

²⁸⁶ Franzén, A. & Gottzén, L. (2020) Violence prevention in Sweden: A research overview (*Våldsprevention i Sverige: En forskningsöversikt*), Department of Child and Youth Studies (*Barn- och ungdomsvetenskapliga institutionen*), Stockholm University (*Stockholms universitet*), [available here](#)

²⁸⁷ Sweden, Act on support and service to certain persons with disabilities (*Lag [1993:387] om stöd och service till vissa funktionshindrade, LSS*), 27 May 1993, available here

investigate how to increase the continuity and predictability of personal assistance and assistance compensation. The government's press release stresses that this inquiry is essential and a priority for the government.²⁸⁸ The work is ongoing, and the final report shall be submitted by 24 May 2021.²⁸⁹

Annual report on measures targeted to persons with disabilities in 2019

In March 2020, the National Board of Health and Welfare (*Socialstyrelsen*) published its annual report on efforts and measures targeted to persons with disabilities. The report states that the number of decisions and the amount of measures directed to persons with disabilities continues to increase. However, the increase rate is not as high as before. The increase cannot solely be explained by the demographic increase. Some external factors contribute to this development, for example the suspensions of state-funded assistance allowance. Furthermore, the municipalities' costs for disability support and activities are increasing, but that increase is largely mirroring the increase in measures. The report also shows that the economic vulnerability of persons with disabilities is increasing, and that poor mental health is common among persons with autism and other intellectual disabilities. Diseases like anxiety and schizophrenia is seven times as common among persons with autism and intellectual disabilities than the rest of the population.²⁹⁰

Legislative changes includes assisted breathing and feeding through intubation in the term "basic needs"

As stated in last year's annual report, assisted breathing and feeding through intubation were not included in the list of "basic needs" that a person could get personal assistance for as regulated in the Act on support and service for certain persons with disabilities.²⁹¹ As a result, the Swedish parliament told the government to present a legislative proposal, which would ensure that the term "basic needs" covered breathing and feeding through intubation as well. In March 2020, the government presented a bill to the parliament and the necessary legislative amendments entered into force on 1 July 2020.²⁹² In practice, this means that a few clarifications about assisted breathing and feeding through intubation were added to the Act concerning support and Service for certain persons with disabilities (*Lag (1993:387) om stöd och service till vissa*

²⁸⁸ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2020) Increased right to personal assistance regarding support to self-care, supervision and children (*Stärkt rätt till personlig assistans för stöd vid egenvård, vid tillsyn samt barn*), Committee Directive, 24 January 2020, [available here](#)

²⁸⁹ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2020) Supplementary Committee Directive to the inquiry strengthened assistance, (*Tilläggsdirektiv för utredning om stärks assistans*) 3 September, 2020, [available here](#)

²⁹⁰ Sweden, National Board of Health and Welfare (2020) Measures and support for persons with disabilities – Status report 2020 (*Insatser och stöd till personer med funktionsnedsättning – Lägesrapport 2020*), 1 March 2020, [available here](#)

²⁹¹ Sweden, Act on support and service to certain persons with disabilities (*Lag [1993:387] om stöd och service till vissa funktionshindrade, LSS*), 27 May 1993, [available here](#)

²⁹² Sweden, Personal assistance for all moments of assistance in relation to assisted breathing and feeding through intubation. (*Personlig assistans för samtliga hjälpmoment som avser andning och måltider i form av sondmatning, prop. 2019/20:92*), government bill, 5 March 2020, [available here](#)

funktionshindre)²⁹³ and the Social Insurance Code (*Socialförsäkringsbalk [2010:110]*).²⁹⁴ The basic conditions for receiving personal assistance remains the same.

Different types of methodological support for municipalities launched

In March 2020, the Swedish Agency for Participation (*Myndigheten för delaktighet*) launched two different types of methodological support materials directed to the municipalities and others.²⁹⁵ One of them focuses on how to arrange dialogues with persons with disabilities, and the other on how to develop strategies for disability policies. The method support materials' aim is to increase the inclusion and participation of persons with disabilities and to support municipalities in their work. However, other actors are free to use the material. The methodological support for dialogue is divided into three modules and can be used together or separately depending on the user's needs. Likewise, the methodological support for strategy development is divided into four parts that can be used together or separately depending on the needs. The methodological support has been developed based on the municipalities' need of support, which was identified in a survey carried out by the County Administrative Boards (*Länsstyrelserna*). The County Administrative Boards are also tasked by the government to support regions and municipalities in their implementation of local disability policy strategies and plans in collaboration with the Swedish Agency for Participation.²⁹⁶

Special inquirer to review the appropriate use of the sickness and activity benefit system

In March 2020, the government assigned a special inquirer with the task to review the appropriate use of the sickness and activity benefit system (*sjuk- och aktivitetsersättning*).²⁹⁷ In September 2020, the government also decided that a parliamentary reference group would be established to support the special inquirers' tasks further.²⁹⁸

The inquirer shall specifically review the rehabilitation benefits. The aim is to create more modern regulations adapted to the rehabilitation of today. The benefits shall contribute to the prevention of health problems and support the transition to work.

²⁹³ Sweden, Act concerning support and service for certain persons with disabilities (*Lag [1993:387] om stöd och service till vissa funktionshindrade*), section 9a, 9f, 1 July 2020, [available here](#)

²⁹⁴ Sweden, Social Insurance Code (*Socialförsäkringsbalk [2010:110]*), chap 51, section 5 & 6, chap 106, section 1, 25 a, 1 July 2020, [available here](#)

²⁹⁵ Sweden, Swedish Agency for Participation (*Myndigheten för delaktighet*) (2020) Methodological support on dialogue and strategy (*Metodstöd om dialog och strategi*), [available here](#)

²⁹⁶ Sweden, County Administrative Board of Stockholm (*Länsstyrelsen Stockholm*), 2020, Disabilities (*Funktionshinder*), [Available here](#)

²⁹⁷ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Committee Directive (*kommitéedirektiv*), A more appropriate regulatory framework in sickness and activity compensation and for benefits in rehabilitation (*Ett mer ändamålsenligt regelverk i sjuk- och aktivitetsersättningen och för förmåner vid rehabilitering*) 26 March 2020, [available here](#)

²⁹⁸ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2020) Supplementary Committee Directive to the inquiry of sickness and activity compensation (*Tilläggsdirektiv till Utredningen om sjuk- och aktivitetsersättningen samt förmåner vid rehabilitering*) 24 September 2020, [available here](#)

The rules shall also harmonise with related regulations and be easy to understand and administrate. The inquirer shall, among other things:

- analyse the conditions for the right to sickness and activity benefits;
- analyse the requirements for older persons of working age to be granted sickness and activity benefits;
- analyse how the regulations concerning work, study, side-lines, assignments and similar during the time with sickness and activity benefits can become more predictable and easier both for the insured person and the Swedish Social Insurance Agency (*Försäkringskassan*);
- propose how current rehabilitation benefits can be modernised or replaced by one or several new benefits that are more efficient in relation to the rehabilitation forms of today. The benefit shall also be easy for individuals and processing authorities to administrate, and ensure monitoring and control of the rehabilitation
- propose necessary legislative changes.

The special inquirer is also supposed to look at the appropriateness of the so-called duration requirement (*varaktighetskravet*). With the current regulation, a person that is assumed to have a reduced ability to work is entitled to activity benefits. The benefits are processed and paid out by the Swedish Social Insurance Agency. The duration requirement within the sickness benefit system means that a person's ability to work must be permanently impaired, and the rehabilitation is not considered to lead to the persons in question regaining the ability to work. In the committee directive, it is stated that this kind of assumptions involve a considerable measure of presumptions about the future. Against this background, the inquirer shall also analyse the effectiveness of the duration requirement in the sickness and activity benefit system. The final report shall be presented to the government by 30 July 2021.²⁹⁹

Special inquirer to review the regulations on housing with special services

In March 2020, the government appointed an inquirer to review the regulation and legal position concerning housing with special services³⁰⁰ as defined in the Act on support and service for certain persons with disabilities.³⁰¹ Persons with disabilities are entitled to adequate living conditions, and most municipalities offer special housing through tenancy following the Land Code.³⁰² The inquirer is to review the

²⁹⁹ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Comité Directive (*kommitéedirektiv*), A more appropriate regulatory framework in sickness and activity compensation and for benefits in rehabilitation (*Ett mer ändamålsenligt regelverk i sjuk- och aktivitetsersättningen och för förmåner vid rehabilitering*) 26 March 2020, [available here](#)

³⁰⁰ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Review of the LSS regulations regarding housing with special services (*Översyn av LSS-regler när det gäller bostad med särskild service*), committee directive, 16 March 2020, [available here](#)

³⁰¹ Sweden, Act on support and service for certain persons with disabilities (*Lag [1993:387] om stöd och service till vissa funktionshindrade*), 27 May 1993, [available here](#)

³⁰² Sweden, Land Code (*Jordabalk [1970:994]*), chap 12, 17 December 1970, [available here](#)

rules and regulations to clarify the legal situation to ensure that individuals do not have to pay additional costs for their housing due to their disabilities. The final report is to be submitted to the government no later than 23 March 2021.³⁰³

Illegal visit bans imposed on housing with special services

In March 2020, the Health and Social Care Inspectorate (*Inspektionen för Vård och Omsorg, IVO*) stated that the authority had received reports of general visit bans and other limiting measures imposed on housing with special services. The visit bans etc. were imposed with reference to the pandemic.³⁰⁴ However, the bans in question were illegal, which was also pointed out by several disability organisations.³⁰⁵ The National Board of Health and Welfare has also commented on these types of bans. The authority states that the residential care homes for persons with disabilities cannot forbid their residents from receiving visits. However, the staff may suggest other ways of keeping contact, and inform the residents and their relatives about potential risks of the spread of the infection upon a visit.³⁰⁶

Special inquirer to review how Directive 2019/882 regarding accessibility requirements for products and services can be implemented in Sweden

In April 2020, a special inquirer was appointed by the government to determine how Directive 2019/882 from the European Parliament regarding accessibility requirements for products and services can be implemented in Sweden.³⁰⁷ The assignment includes an analysis of the Swedish legislation in relation to the requirements of the Directive and, if necessary, propose necessary legislative changes. More specifically, the inquirer shall:

- analyse how the requirements of the Directive relate to current regulations in Swedish law regarding banking services and financial services;
- analyse how the e-commerce directive, the e-commerce act³⁰⁸ and the marketing act³⁰⁹ relates to the requirements of the Directive;
- analyse if any special efforts are needed to facilitate contracting authorities to comply with the requirements of the Directive.

³⁰³ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Review of the LSS regulations regarding housing with special services (*Översyn av LSS-regler när det gäller bostad med särskild service*), committee directive, 16 March 2020, [available here](#)

³⁰⁴ Sweden, Health and Social Care Inspectorate (*Inspektionen för Vård och Omsorg, IVO*), 2020, Q and A on the Coronavirus, covid-19 (*Frågor och svar om Coronaviruset, covid-19*), [available here](#)

³⁰⁵ For more information about illegal visit bans in LSS accommodations, please see page 20-21 of the Franet country study released on 3 June 2020, [Available here](#)

³⁰⁶ Sweden, National Board on Health and Welfare (*Socialstyrelsen*), Can the LSS residential care homes prohibit the residents to receive visitors? (*Kan LSS-boenden förbjuda boende att ta emot besökare?*), 17 March 2020, [available here](#)

³⁰⁷ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Implementation of the Accessibility Directive (*Genomförandet av tillgänglighetsdirektivet*), committee directive, 16 April 2020, [available here](#)

³⁰⁸ Sweden, Act on E-commerce and Other Information Society Services (*Lag [2002:562] om elektronisk handel och andra informationssamhällets tjänster*), 6 June 2002, [available here](#)

³⁰⁹ Sweden, Marketing Act (*Marknadsföringslag [2008:486]*), 6 May 2008, [available here](#)

The work is ongoing, and the final report shall be submitted to the Government by 31 May 2021.

Public inquiry report on a potential reform for a sustainable healthcare system

In April 2020, a public inquiry presented its final report to the government focusing on a potential reform for a sustainable healthcare system. The report has been out for consultation. Among others, the Swedish Disability Rights Federation (*Funktionsrätt Sverige*) submitted a consultation response.³¹⁰ The Swedish Disability Rights Federation is a broad organisation that covers large parts of the Swedish disability movement. The federation works with disseminating knowledge and providing expertise to for the Government, the Parliament and national authorities. In its consultation response, the Swedish Disability Rights Federation was generally optimistic but wanted to add a few proposals. The organisation proposed that the government:

- develops a national action plan to continually identify and address inequalities regarding health and healthcare;
- secures the healthcare sector's competence on human rights, different disabilities and individually adapted treatment in relevant professions within healthcare and care, to increase participation in decisions that concern the individual's health
- creates national guidelines to assure that the individual is given opportunities to influence their rehabilitation or habilitation measures, and their choices of aids.

Additionally, the federation underlined the civil society's role as an equal partner that it is necessary to include for the sustainability for the reform.³¹¹

The proposals that were presented in the final report in April 2020 has by late November developed into a government bill, which was published 28 May 2020. The suggestions presented in the bill are supposed to enter into force on 1 July 2021. The government bill suggests, amongst other things, that patients should be involved and included in the health care that they are receiving, based on their individual condition and preference. The purpose of this is to use the resources within the health care sector more efficiently.³¹²

³¹⁰ Sweden, Swedish Disability Rights Federation (*Funktionsrätt Sverige*), Consultation response: Good and accessible healthcare – a reform for a sustainable social and health care system (*Remissvar: God och nära vård – en reform för ett hållbart hälso- och sjukvårdssystem*), 6 June 2020, available here

³¹¹ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Good and accessible health care - A reform for a sustainable social and health care system (*God och nära vård - En reform för ett hållbart hälso- och sjukvårdssystem*, *SOU 2020:19*), public inquiry, 1 April 2020, available here

³¹² Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2020) Towards a close and accessible health care – a primary care reform, (*Inriktningen för en nära och tillgänglig vård – en Primärvårdsreform*) government bill, 28 May 2020, available here

Report on the opportunities as well as problems with commonly used non-medical technical products

In May 2020, Swedish Agency for Health and Care Services Analysis (*Myndigheten för vård- och omsorgsanalys*) presented a report regarding a 2019 government assignment³¹³ to investigate the opportunities as well as problems with commonly used non-medical technical products. The report states that consumer products are useful tools and may very well lead to increased participation and strengthen communicative and cognitive abilities. However, such products are only prescribed in a small number of cases. Additionally, the regional healthcare systems' different regulations and working methods regarding the prescription and support lead to inequalities between persons with similar needs but different geographical locations. The report urges the government to ensure equality through the standardisation of the prescription of consumer products across the country.³¹⁴

Support material to promote an active lifestyle for persons with disabilities

In June 2020, the government tasked the Swedish Agency for Participation (*Myndigheten för delaktighet*) with developing a material that can support municipalities and other actors to promote an active lifestyle for persons with disabilities. The support material shall provide examples of how municipalities and other actors can promote activities that are available and accessible for everyone. Additionally, examples of good working practices used in municipalities and regions shall be gathered and disseminated. The work is ongoing, and the final report shall be submitted by 15 June 2021.³¹⁵

Government assignment reviewing the field of cassette magazines

In June 2020, the Swedish Agency for Accessible Media (*Myndigheten för tillgängliga medier*) was tasked by the government to review the field of cassette magazines (*taltidningar*).³¹⁶ The authority shall propose how the cassette magazine media can be developed and adapted to the user's needs and access to news and civic information. The analysis shall review the conditions for including more forms of news distribution and civic information. Furthermore, the possibility to provide support for development projects and make additional news media resources accessible, e.g. as regional and municipal newspapers through the cassette magazines shall be investigated. The submitted proposals are to include

³¹³ Sweden Ministry of Health and Social Affairs (*Socialdepartementet*) (2020) Assignment on prescription of non-medical products (*Uppdrag om förskrivning av icke medicinska produkter*), government assignment, 25 March 2019, [available here](#)

³¹⁴ Sweden, Agency for Health and Care Services Analysis (*Myndigheten för vård- och omsorgsanalys*) With varying function - Prescribing of consumer products such as support for disability, (*Med varierande funktion - Förskrivning av konsumentprodukter som hjälpmedel vid funktionsnedsättning*) May 2020 [available here](#)

³¹⁵ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Assignment for the promotion of active leisure for people with disability, (*Uppdrag för främjande av aktiv fritid för personer med funktionsnedsättning*) government assignment, 17 June 2020, [available here](#)

³¹⁶ Sweden, Ministry of Culture (*Kulturdepartementet*), Assignment to the Swedish Agency for Accessible Media to review the cassette magazine activities (*Uppdrag till myndigheten för tillgänglig media att göra en översyn av taltidningsverksamheten*), government assignment, 29 June 2020, [available here](#)

impact assessments, cost analyses and required legislative changes. The final report is to be submitted to the government by 1 March 2021.

Special inquirer to develop action plan to strengthen interpretation services

In July 2020, the government assigned a special inquirer (*särskild utredare*) with the task to develop an action plan to strengthen the interpretation services for deaf children, deaf adults, persons with hearing impediments and deaf-blind persons.³¹⁷ According to the government, the need for interpretation services for these groups is not met. There also seems to be unclear divisions of responsibilities between actors and which interpretation services the regions are supposed to cover. The assignment's aim is to identify existing success factors, issues and obstacles in order to be able to develop and offer qualified and efficient interpretation services. Furthermore, the inquirer is to analyse how appropriate proposals might be implemented in practice by examining the proposals of an earlier public inquiry³¹⁸ and a memorandum³¹⁹ on the topic. The inquirer shall also gather inputs from relevant authorities and other actors, e.g. the National Board of Health and Welfare (*Socialstyrelsen*), the Swedish Agency for Participation (*Myndigheten för delaktighet*), the Swedish Disability Rights Federation (*Funktionsrätt Sverige*) and many more. The assignment is to be submitted to the government by 15 January 2022.

2019 public inquiry report on consultation

As was reported in last year's annual report, the public inquiry reviewing the totality of the Act on support and Service for certain persons with disabilities³²⁰ submitted its final report to the government in January 2019. This report, which among other things suggests that the state should be responsible for personal assistance measures instead of the municipalities, is now circulated for formal consultations. The consultation responses are to be submitted no later than 12 November 2020.³²¹

Proposed increase of the hourly rate for the assistance allowance

³¹⁷ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Strengthened interpretation service for equality and participation (*Förstärkt tolktjänst för jämlikhet och delaktighet*), press release, 30 July 2020, [available here](#)

³¹⁸ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), A coherent interpretation service – coordination and development of interpretation services for deaf children, deaf adults, persons with hearing impairments and deaf-blind persons) (*En samlad tolktjänst – samordning och utveckling av tolktjänst för barndomsdöva, vuxendöva, hörselskadade och personer med dövblindhet*, SOU 2011:83), public inquiry, 14 September 2011, [available here](#)

³¹⁹ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Interpretation services for everyday interpretation (*Tolktjänst för vardagstolkning*), memorandum, 8 April 2016, [available here](#)

³²⁰ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Review of measures according to the Act on support and services for certain persons with disabilities (*Översyn av insatser enligt LSS*), Public Inquiry SOU 2018:88, 10 January 2019, [available here](#)

³²¹ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), LSS-inquiry out for formal consultation (*LSS-utredning går ut på remiss*), press release, 28 June 2020, [available here](#)

In the Budget Bill of 2021, the government proposed an increase to 3,5 % of the hourly rate for the assistance allowance (*assistansersättning*).³²² The allowance would thus be 315 SEK (€29) per hour in 2021 and the individual is free to decide how much of the allowance that is to be paid out in the form of salary and how much is to be used for other costs such as work environment improvement and competence enhancing trainings.

Proposal to allocate funds to promote the application of universal design

In the Budget Bill, the government states that it wants to eliminate obstacles for accessibility in order to reach the national goal for disability politics.³²³ Therefore, the government proposes to allocate 23 million SEK (€2,163,000) annually to stimulate and the developments within the area. The funding shall be used to promote the application of universal design creating more accessible solutions that work for all persons, regardless of any disabilities. Furthermore, municipalities and regions are assessed to need support in their work with disability issues. The statistics that highlight the living conditions for persons with disabilities also need to be improved.

In the Budget Bill, presented in September, the government states that the number of reports on discrimination on the ground of disability has increased. It is now one of the most common discrimination grounds in the reports to the Equality Ombudsman (*Diskrimineringsombudsmannen*). The reports of discrimination of persons with disabilities have increased since inadequate accessibility (*bristande tillgänglighet*) was introduced as a form of discrimination on 1 January 2015.³²⁴

Government assignment to investigate the responsibility to remedy easily remedied barriers to accessibility

In October 2020, the government assigned the National Board of Housing, Building and Planning (*Boverket*) to investigate which actor or authority, which is best suited to take on the overall responsibility for removing hindrances to achieve accessibility in buildings and premises. Notably, the government assignment states that according to the Planning and Building Act,³²⁵ all obstacles hindering accessibility in buildings and premises must be remedied if the practical and financial conditions allow it. Consequently, the National Board of Housing, Building and Planning will investigate which actors that will be required to adhere to the

³²² Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Record increase in the standard allowance for personal assistance (*Rekordstor höjning av schablonersättningen för personlig assistans*), press release, 13 September 2020, [available here](#)

³²³ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Reforms for increased welfare within disability politics – Budget of 2021 (*Reformer för ökad välfärd inom funktionshinder - Budgeten 2021*), 21 September 2020, [available here](#)

³²⁴ Sweden, Ministry of Finance (*Finansdepartementet*), Budget Bill for 2021 (*Budgetpropositionen för 2021*), Government Bill, Prop. 2020/21:1, p.119, [available here](#)

³²⁵ Sweden, Planning and Building Act (*Plan- och bygglag [2010:900]*), section 2, 12, 1 July 2010, [available here](#)

Planning and Building Act, and which actors that can be exempted. The authority's proposals will be incorporated in the current Planning and Building Act.³²⁶

Government assignment to evaluate the reform on reformed support for people with disabilities

In November 2020, the government assigned the Insurance Inspectorate (*Inspektion för socialförsäkringen, ISF*) to evaluate and analyse the effects of the reform on reformed support for people with disabilities. In short, in January 2019, the government changed the system concerning benefits and allowances for persons with disabilities in order to make it easier for persons with disabilities to receive the financial support. With this as a background, the Insurance Inspectorate shall analyse how the changes has affected men and women, and whether any differences between the sexes are noticeable. The Insurance Inspectorate is also instructed to analyse the transparency and clarity of the act.³²⁷

COVID-19 affects the possibilities for persons with disabilities to participate in daily activities

In Sweden, certain persons with disabilities have the right to support and measures in accordance with the Act on support and services for certain persons with disabilities.³²⁸ The Act regulates special support and special services for persons: 1) with developmental disorders, autism or autism-like conditions; 2) with significant and persistent mental disabilities after brain injuries in adulthood caused by external violence or physical illness; or 3) with other lasting physical or mental disabilities that are obviously not caused by normal aging, if these disabilities cause significant difficulties in daily life.³²⁹ One such measure is called daily activities (*daglig verksamhet*), which consists of different kinds of activities for persons of working age, who are not gainfully employed or studying. Due to the COVID-19 outbreak, changes in the conditions for daily activities have been made. The changes concern persons who usually participate in daily activities (*daglig verksamhet*) that cannot participate either due to illness or because the municipalities do not offer such activities during the pandemic.³³⁰

Government assignment to identify the consequences for daily activities (*daglig verksamhet*) within LSS due to the covid-19 pandemic

³²⁶ Sweden, Ministry of Finance (*Finansdepartementet*) (2020) Assignment to investigate the responsibility to correct easily remedied barriers to accessibility (*Uppdrag att utreda ansvaret för åtgärda enkelt avhjälpbara hinder mot tillgänglighet*) government assignment, 22 October 2020, [available here](#)

³²⁷ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2020) Assignment to evaluate the reform on reformed support for people with disabilities (*Uppdrag att utvärdera reformen om reformerat stöd till personer med funktionsnedsättning*) government assignment, 12 November 2020 [available here](#)

³²⁸ Sweden, Act on support and services for certain persons with disabilities (*Lag [1993:387] om stöd och service till vissa funktionshindrade*), 27 May 1993, [available here](#)

³²⁹ Sweden, Act on support and services for certain persons with disabilities (*Lag [1993:387] om stöd och service till vissa funktionshindrade*), section 1, 27 May 1993, [available here](#)

³³⁰ For more information on the daily activities and the changes made due to COVID-19, please see page 18-19 of the Franet country study released on 3 June 2020. [available here](#)

In October 2020, the government assigned the National Board of Health and Welfare (*Socialstyrelsen*) with the task to review how COVID-19 has affected persons with disabilities' possibilities to participate in daily activities (*daglig verksamhet*). The government assignment underlines that daily activities are essential measures since their purpose is to promote equal opportunities and participation in society for persons with disabilities. Because of the COVID-19 outbreak, most daily activities have been cancelled and postponed. Against this background, the National Board of Health and Welfare will therefore investigate how COVID-19 has impacted the daily activities, and the persons who have not been able to take part in them in dialogue with the Agency for Participation (*Myndigheten för delaktighet*) and the association of Local Authorities and Regions (*Sveriges kommuner och regioner, SKR*).³³¹

Support material for professionals on how to talk about COVID-19

The National Board of Health and Welfare has taken another measure (together with other national authorities and intellectual disability organisations) with reference to COVID-19.³³² The actors have developed a support material for professionals on how to talk to persons with intellectual disabilities and autism about COVID-19.³³³

Film about COVID-19 for persons with intellectual disability

In November 2020, the Swedish Agency for Participation (*Myndigheten för delaktighet*), in collaboration with the Swedish Civil Contingencies Agency, (*Myndigheten för samhällsskydd och beredskap*) and the Swedish National Association for Persons with Intellectual Disabilities has created an information film. The film informs persons with intellectual disabilities about the Corona virus. The film was created because the agencies noticed a lack of information available for persons with intellectual disabilities. The Agency for Participation has worked to create accessible crisis information in various media for individuals with disabilities since spring 2020. The film is a part of this work.³³⁴

Clarification concerning the requirements for state funding for habilitation compensation

331 Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2020) Assignment mapping the consequences for daily activities due to covid-19, government assignment, (*Uppdrag om kartläggning för daglig verksamhet med anledning av sjukdomen covid-19*) 14 October 2020, [available here](#)

332 Sweden, National Board of Health and Welfare (*Socialstyrelsen*), To talk about the coronavirus and covid-19 with persons with intellectual disabilities or autism (*Att prata om coronaviruset och covid-19 med personer med intellektuell funktionsnedsättning eller autism*), 20 May 2020, [available here](#)

333 For more information on this material, please see page 18-19 of the Franet country study released on 3 June 2020. [available here](#)

³³⁴ Sweden, Swedish Agency for Participation (*Myndigheten för Delaktighet*), 2020, Film for persons with intellectual disabilities about reducing spread of infection (*Film för personer med intellektuell funktionsnedsättning om minskad smittspridning*) 17 November 2020, [available here](#)

In May 2020, the government commissioned the National Board of Health and Welfare to clarify the conditions for receiving state funding for habilitation compensation.³³⁵ The authority states that the requirements for receiving such grants are changed, which means that the grants may be used to pay daily allowance to persons participating in daily activities even if no activities can be offered or if the participants cannot attend due to the risk of infection.³³⁶

Statistics on the confirmed cases of infected and deaths in relation to covid-19 among persons with accommodation supports

In November 2020, the National Board of Health and Welfare presented statistics on the number of confirmed cases of infected and deaths in relation to COVID-19 among persons with accommodation supports according to the Act on support and services for certain persons with disabilities³³⁷ (hereafter LSS) in 2019.³³⁸ There are four different types of accommodation forms given within the frames of LSS:

- Family homes for children and youths
- Residential homes with special service for children and youths
- Residential homes with special service for adults
- Other especially adapted residence forms for adults³³⁹

On 1 October 2019, 75,000 persons received some kind of support and service in accordance with LSS. Of them, 29,600 persons received accommodation support. On 16 November 2020, 936 persons were confirmed infected with covid-19, which is approximately 3.16 % of the persons receiving accommodation support in accordance with LSS. 305 of these persons (32,6 %) were living in Region Stockholm. Additionally, 197 (21%) of these persons were living in Västra Götaland Region. On the same date, 55 persons that have received accommodation support according to LSS had been reported as deceased from COVID-19, according to death certificates submitted to the National Board of Health and Welfare. Of the deceased 37 were men and 18 were women.

Statistics on confirmed cases of infected and deceased persons in relation to covid-19 among persons receiving personal assistance

³³⁵ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*), Conditions for state funding of habilitation compensation shall be clarified (*Villkor för statsbidrag för habiliteringsersättning ska förtydligas*), press release, 7 May 2020, [available here](#)

³³⁶ Sweden, National Board of Health and Welfare (*Socialstyrelsen*), State funding for habilitation compensation (*Statsbidrag för habiliteringsersättning*). [available here](#)

³³⁷ Sweden, Act on support and services for certain persons with disabilities (*Lag [1993:387] om stöd och service till vissa funktionshindrade*), chap 9, section 8 and 9, 3 June 2010, [available here](#)

³³⁸ Sweden, National Board of Health and Welfare (*Socialstyrelsen*) (2020) Statistics on confirmed infected and deceased with covid-19 as cause of death among persons with accommodation support according to the Act concerning support and services for persons with certain functional impairments 2019 (*Statistik om bekräftat smittade och avlidna med dödsorsak covid-19 bland personer med boendeinsats enligt lagen om stöd och service till vissa funktionshindrade 2019*), 16 November 2020, [available here](#)

³³⁹ For more information about the statistics, please see page 19-20 of the Franet country study released on 3 June 2020. [available here](#)

In November 2020, the National Board of Health and Welfare presented statistics³⁴⁰ on the number of confirmed cases of infected and deceased persons in relation to covid-19 among persons receiving personal assistance according to LSS.³⁴¹ On 1 October 2019, 19,027 persons received personal assistance according to LSS. On 16 November 2020, 390 persons (2.0 %) were confirmed infected with COVID-19. 109 persons (27,9 %) were living in the region Stockholm. 69 persons (17,7%) were living in Västra Götaland region. On the same date, 36 persons who received personal assistance according to LSS had been reported as deceased from COVID-19, according to the death certificates submitted to the National Board of Health and Welfare. 24 of the deceased were men and 12 were women.

2. CRPD monitoring at national level

There is no overall structure for the monitoring of the CRPD in place in Sweden. However, in the Budget Bill for 2021 presented in September 2020, the government proposed an establishment of an institute for human rights.³⁴² The institute shall monitor and report on how human rights are respected and fulfilled in Sweden. According to an earlier government inquiry proposing the establishment of a national institution for human rights in Sweden, the new authority shall be tasked with the national monitoring of the CRPD.³⁴³

Since 2015, the Swedish Agency for Participation (*Myndigheten för delaktighet*) has been tasked by the government to follow up annually on the developments in the policy area of disability. In February 2020, the authority presented its annual report on the disability politics.³⁴⁴ These annual reports focus on selected questions and areas that have strategic importance for the development of disability politics. The follow-up report for 2019 focuses on the conditions for the disability perspective to gain ground in the governance and management of municipalities, regions, and national authorities. The report states that the management of the public sector's activities is vital in order to increase participation in society for

³⁴⁰ Sweden, National Board of Health and Welfare (*Socialstyrelsen*) (2020) Statistics on covid-19 among persons receiving personal assistance according to the Act concerning support and service for persons with certain functional impairments and/or assistance allowance according to the Social insurance Code (*Statistik om covid-19 bland personer med personlig assistans enligt LSS och/eller assistansersättning enligt socialförsäkringsbalken*), 16 November 2020, [available here](#)

³⁴¹ Sweden, Act on support and services for certain persons with disabilities (*Lag [1993:387] om stöd och service till vissa funktionshindrade*), chap 9, section 2, 3 June 2010, [available here](#)

For earlier samples of statistics concerning persons with disabilities in relation to covid-19, please see page 19-20 of the Franet country study released on 3 June 2020, [Available here](#)

³⁴² Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), The establishment of an institute for human rights is proposed (*Ett institut för mänskliga rättigheter föreslås inrättas*), press release, 21 September 2020, [available here](#)

³⁴³ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) Proposal for a national institution for human rights in Sweden (*Förslag till en nationell institution för mänskliga rättigheter i Sverige, Ds 2019:4*) government inquiry, 22 February 2019, [available here](#)

³⁴⁴ Sweden, Swedish Agency for Participation (*Myndigheten för Delaktighet*) (2020) Follow-up of the disability politics 2019 (*Uppföljning av funktionshinderspolitiken 2019*), 4 March 2020, [available here](#)

persons with disabilities. While with disabilities.³⁴⁵ Areas that are covered in the statistics are health, education, labour market many national authorities, municipalities and regions work strategically with disability politics, the report shows that only a few actors have managed to integrate the disability perspective in their governance and management systems. The report also measures the disability perspective's impact on the societal development by focusing on three up-to-date areas: crisis preparedness, digitalisation, and the labour market. These areas are characterised by inadequate accessibility for persons with disabilities. By analysing these inadequacies, it becomes evident that changes in methods and relatively limited efforts could contribute to increased inclusion and participation. The report also includes an annex that present statistics on the life conditions for persons, economy, transport, democracy, media habits, transport and constructed environment.

The Swedish Agency for Participation's annual investigation of authorities, regions and municipalities' work with accessibility and inclusion for persons with disabilities

In September 2020, the Swedish Agency for Participation (*Myndigheten för delaktighet*) initiated a new investigation aimed at monitoring the regions', municipalities', and national authorities' work with accessibility and inclusion for persons with disabilities. The monitoring is part of the government's instructions to the Agency for Participation and has been so for several years in a row. The authority provides different stakeholders with a number of questions on inclusion and accessibility. The answers are collected and processed by the Agency for Participation. This year's annual review will be followed up with direct support to the stakeholders based on their answers in the evaluation. The Agency for Participation stresses that the yearly evaluation not only will provide support to the stakeholders but also feedback and deepened information about accessibility. The evaluation will be published in the beginning of 2021.

³⁴⁵ Sweden, Swedish Agency for Participation (*Myndigheten för Delaktighet*) (2020) Annex with statistics and facts – Follow-up of the disability politics 2019 (*Bilaga med statistik och fakta Uppföljning av funktionshinderspolitiken 2019*) available [here](#)

Annex 1 – Promising Practices

Thematic area	EQUALITY AND NON-DISCRIMINATION Please provide one example of a promising practice to tackle discrimination against older people or LGBTI people such as awareness raising campaigns or ethical codes for healthcare staff held in your country in 2020. Where no such examples are available, please provide an example of an awareness raising campaign held in your country in 2020 relevant to equality and non-discrimination of older people or LGBTI people, preferably one conducted by a national equality body.
Title (original language)	Jag är berättaren
Title (EN)	I am the Storyteller
Organisation (original language)	Riksförbundet för homosexuellas, bisexuellas, transpersoners och queeras och intersexpersoners rättigheter (RFSL)
Organisation (EN)	The Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex rights (RFSL)
Government / Civil society	Civil society
Funding body	The Swedish Inheritance Fund (<i>Allmänna arvfonden</i>) funds the project.
Reference (incl. url, where available)	Sweden, Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex rights (<i>Riksförbundet för homosexuellas, bisexuellas, transpersoners och queeras och intersexpersoners rättigheter, RFSL</i>) I am the Storyteller (<i>Jag är berättaren</i>), educational project, https://rfslstockholm.se/jag-ar-berattaren/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	September 2017 – May 2020
Type of initiative	Educational and inspirational
Main target group	LGBTI individuals with disabilities and the general public

Indicate level of implementation: Local/Regional/National	The project is localised in Stockholm, but the project's aim is to educate and inspire other individuals on local, regional, and national levels.
Brief description (max. 1000 chars)	The project originates from RFLS's weekly meetings in Stockholm with LGBTI individuals with disabilities. During the meetings, it has been noted that there are barely any books about LGBTI persons with disabilities. As a result, the group wanted to fill this gap by releasing one book about LGBTI persons with some disability per year during the project period. To succeed, the group decided to meet once a week to work on the books. Hence, the project's ambition is to share personal, emotional, inspirational, and educational experiences about being an LGBTI person with a disability.
Highlight any element of the actions that is transferable (max. 500 chars)	The whole project's method is transferable. The three books have been disseminated to different libraries and group homes around Sweden. The books can also be accessed online at RFLS's website. Consequently, the project's results are accessible to many individuals, which gives them the chance to read the projects' books and educate themselves. The method where LGBTI persons with disabilities tell their own stories is easily transferable.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	The project is sustainable because the books are free of charge and available online and in different libraries, which makes them accessible compared to books that has to be bought.
Give reasons why you consider the practice as having concrete measurable impact	The project has a chance to have an educational impact because the books are free, online, and available at different libraries. It gives the general public a chance to read the book and educate themselves, as mentioned earlier.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	It is transferable because LGBTI persons with disabilities exist in all societies and are often marginalised. Consequently, to put these persons' feelings and experiences in the centre and highlight their individuality and capabilities may be empowering. It may be difficult to transfer to some settings due to prejudices and discrimination, but this only makes the project more important to spread
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and	The books are made by the stakeholders themselves, so they are involved in all phases of the project.

implementation of the practice.	
Explain, if applicable, how the practice provides for review and assessment.	The project can be reviewed and assessed by measuring the number of downloads and by reader reviews.

Thematic area	RACISM, XENOPHOBIA AND RELATED INTOLERANCE Please provide one example of a promising practice to address racism and xenophobia in the context of the COVID-19 pandemic. Where no such practice exists, please provide one example of a promising practice related to combating racism, xenophobia and related intolerances.
Title (original language)	Du ser ut som någon vi letar efter – Rasprofilering utifrån ungas egna röster
Title (EN)	You look like someone we are looking for - Racial profiling based on young people's own voices
Organisation (original language)	Skånes Stadsmission in collaboration with Malmö mot diskriminering
Organisation (EN)	Scania's City Mission in collaboration with Malmö against discrimination
Government / Civil society	Civil society
Funding body	The Swedish Agency for Youth and Civil Society (<i>Myndigheten för ungdoms- och civilsamhällesfrågor</i>)
Reference (incl. url, where available)	Sweden, Scania City Mission (<i>Skånes Stadsmission</i>) – <i>You look like someone we are looking for – Racial profiling based on young people's own voices (Du ser ut som någon vi letar efter – Rasprofilering utifrån ungas egna röster)</i> https://www.skanestadsmission.se/duserutsomnagan/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	September 2020-
Type of initiative	Provide education on racial profiling to prevent it.
Main target group	Children and youths/young adults
Indicate level of implementation: Local/Regional/National	Local, regional and national
Brief description (max. 1000 chars)	The project aims to highlight that racial profiling occurs as a structural problem within the Police authority. According to the project description, research about racial profiling in Sweden is lacking, especially from children's and youth's point of view. Consequentially,

	<p>the project aims to identify youths who need knowledge about racial profiling and who wants to share their own experiences. Correspondingly, the end-goal of the project is to put together a book about racial profiling based on the youths' stories. Another aim of the project is to provide individuals who have experienced racial profiling with legal help. Notably, according to the project, the national legislation concerning racial profiling is largely unclear and has not been tried, which is something that the project wants to confront. Overall, the project aims to spread knowledge about racial profiling and challenge national legislation.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>To identify a gap within national research of experiences of racial profiling, and aiming to fill that gap is transferable. The project could have the same aim in another context, which would further create a positive effect of knowledge-exchange. Additionally, the book that the project aims to produce will partly fill the research gap about racial profiling, which is another element of transferability. Measures such as seminars, workshop and lectures about racial profiling make the project highly educational and therefore also transferable overall.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>Since the project aims to publish a book, it is sustainable because it enables the findings and insights of the project to thrive in the form of a book even though the project might not continue in the future.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>Given the identified knowledge-gap about racial profiling within research in Sweden, the project has the potential to have a significant impact because it will shed light on a topic that have lacked attention. Similarly, a release of a book could also have the potential to make a great impact because it enables others to recognize if they have been exposed to racial profiling which could further make them raise the issue to others.</p>
<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>The invisibility of the human rights issue that is racial profiling in Sweden might also apply to other member states. Provided this, it might also be of importance for other member states to give racial profiling more attention by proceeding with a similar project. The methods of the project are also accessible to other member states to practice.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation,</p>	<p>Given that the book that will be published is based on the participants' stories, it correspondingly makes the stakeholders involved in all the processes of the project. The project also has the chance of making stakeholders such as politicians, and national authorities interested in being involved in the project because it highlights a subject that</p>

review assessment and implementation of the practice.	has been given less attention. Nevertheless, since the project will challenge the national legislation concerning racial profiling, it might have the chance to impact the government to review the assessments of the law.
Explain, if applicable, how the practice provides for review and assessment.	The project provides for review and assessment inasmuch as it is an initiative funded by an national authority, which thus requires a review of the measures performed within the project.

Thematic area	<p>ROMA EQUALITY AND INCLUSION</p> <p>Please provide one example of promising practice in relation to the legal and policy developments in regard to Roma/Travellers (or any group covered by this term as per the Council of Europe definition) in 2020 that relate to the (1) application of the EU Framework on national Roma integration strategies and (2) the preparations for the new post-2020 initiative on Roma equality, inclusion and participation or in relation to any measures in your country in 2020 to address Roma inclusion and prevent discrimination, hate crime and hate speech with a particular focus on COVID-19.</p>
Title (original language)	Samarbete med Fredens hus om romers rättigheter
Title (EN)	Cooperation with the House of Peace about the rights of the Roma
Organisation (original language)	Uppsala kommun, Fredens hus
Organisation (EN)	Uppsala municipality, House of Peace
Government / Civil society	Municipality and civil society organisation
Funding body	State funding and municipal resources in the form of municipal employees
Reference (incl. url, where available)	https://www.uppsala.se/kommun-och-politik/nyheter-och-pessmeddelanden2/nytt-samarbete-med-fredens-hus-om-romers-rattigheter2/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	The project was initiated in the summer of 2020 and will run through 2021
Type of initiative	Education, cultural activities, increasing participation and awareness of rights among persons belonging tot he national minorities
Main target group	Civil servants and politicians in the municipality, pupils in high school and upper secondary school, youths belonging to the national minorities

<p>Indicate level of implementation: Local/Regional/National</p>	<p>Local</p>
<p>Brief description (max. 1000 chars)</p>	<p>For four years, Uppsala municipality was a so-called development municipality (<i>utvecklingskommun</i>) for Roma inclusion (as a part of the National Strategy for Roma Inclusion). During this period, the municipality has had a special assignment to strengthen the human rights of the Roma national minority. To raise awareness and spread knowledge about human rights and Roma inclusion, Uppsala municipality has initiated a close collaboration with the House of Peace (<i>Fredens Hus</i>), a civil society organisation that arranges educations to encourage gender equality and counteract racism. In this project, the House of Peace task will develop and carry out activities that support the rights of national minorities groups in partnership with the municipality. The activities will have a special focus on the Roma minority. The collaboration includes, among other things, training and workshops for municipal employees, managers, elected politicians and as well as pupils at secondary and upper secondary schools. Furthermore, cultural and educational activities will be carried out to make Roma history and culture visible in Uppsala. In cooperation with Roma youths, the municipality and the House of Peace shall also carry out activities directed to children from all national minorities in order to increase their knowledge about their rights as national minorities.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>The partnership between a municipality and a civil society organisation to raise awareness of an issue is highly transferable, as is the collaboration with and inclusion of persons from the target group – in this case, youths of Roma descent. The mix of educational and cultural activities focusing on the national minority Roma order to make the Roma culture visible in the local history of a place is also easily transferable.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>The project is sustainable since it is an actual continuation of Uppsala municipality's work as a development municipality within the strategy for Roma inclusion. Therefore, the</p>

	<p>questions and methods should be known by the municipality already. The practice is one way to continue to work with Roma inclusion in its everyday work.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The educational activities directed to school pupils, employees, managers, and elected politicians are measurable since they allow for concrete impact evaluation.</p>
<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>Roma inclusion practices should be transferable since all member states need to work locally to improve awareness and knowledge about their Roma citizens in their local communities.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>The practice involves Roma youths in the activities directed to youths from all the five national minorities.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>The practice provides for review and assessment since the municipality and the House of Peace has systems for internal review and assessment of their projects, to which this project may also be included.</p>

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please, provide one example of a promising practice related to any of the topics addressed in the chapter – i.e. in relation to data protection, and/or artificial intelligence systems - in 2020.
Title (original language)	AI för ledare i offentlig sektor
Title (EN)	AI for leaders in the public sector
Organisation (original language)	Sveriges Kommuner och Regioner (SKR), AI Sweden, Governo
Organisation (EN)	Swedish Association of Local Authorities and Regions, AI Sweden, Governo
Government / Civil society	Government, civil society
Funding body	Swedish Association of Local Authorities and Regions, AI Sweden, Governo
Reference (incl. url, where available)	https://www.ai.se/en/ai-leaders-public-sector
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	March 2019 – no end date set
Type of initiative	Educational measure
Main target group	Politicians and leaders within the public sector; municipalities, regions and authorities
Indicate level of implementation: Local/Regional/National	National
Brief description (max. 1000 chars)	The initiative is an educational measure directed to leaders in the public sector, which is divided into two separate parts. The first part consists of a self-study tutorial part followed by a workshop part, comprising of one day each. Participation is associated with a cost of 4,995 SEK (€472). The project builds on the idea that AI is considered a possible solution for significant efficiencies, increased quality, and completely new ways

	<p>of working and ways of delivering services for the public sector. However, both in-depth specialist knowledge and increased general knowledge are required for these positive changes to become reality. Since AI solutions are rarely developed internally in the public sector, it becomes vital that public sector managers and leaders strengthen their ability to define and evaluate the requirements for AI within their sectors. The self-study tutorial is supposed to be conducted digitally. The material of is part is developed by an expert group and fact-checked by experts at Swedish universities. The following workshop is called "AI within my organisation" and includes practical applications and discussions. The workshops will be offered as physical events around Sweden when the circumstances allow. Until then, they will be conducted digitally. At the workshops, persons from different public sector organisations will meet with the focus on what AI and knowledge about AI may bring for leadership, organisation, and decision-making.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>The partnership between an AI expert actor, and a large association gathering local authorities and regions like the Swedish Association of Local Authorities and Regions to raise the local authorities' AI competence is transferable, as is the thematic focus and design of the training.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>The practice allows for a sustainable application of the knowledge obtained during the training part since the second part (workshop) focuses on how to go from theory to practice. Thus, the knowledge will hopefully end up being included in the daily work of the public sector leaders, which will make it sustainable over time. Discussions with other EU-countries about spreading the project to other countries have been initiated.¹</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The project has defined the skills the participants shall achieve from participating in the course. They shall have:</p> <ul style="list-style-type: none"> • better insight in de requirements of organisation, competence and data retention that enables the use of AI; • better understanding of what kind of needs AI can contribute to meet;

¹ Sweden, AI Sweden, Data collected in writing through email conversation, 24 September 2020

	<ul style="list-style-type: none"> • increased knowledge to be able to make the decisions that are required. <p>These skills are all measurable by impact evaluation, for example, in the form of a survey to the participants.</p>
<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>The practice is transferable to other Member States since the question of AI and its role in the public sector and for its employees and politicians is relevant in all Member States.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>Beneficiaries (mostly municipalities and regions associated with the Swedish Association of Local Authorities and Regions) have been included in different stages of the development of the training. Pilot tests have been made with sharp target groups before adjustments were made, and the format was ready.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>Each training is reviewed with a survey directed to the participants. The project is also reviewed over time by a steering group.</p>

Thematic area	RIGHTS OF THE CHILD Please provide one example of a promising practice relating to the topics addressed in this chapter.
Title (original language)	Projekt Låt mig stanna
Title (EN)	Project Let me Stay
Organisation (original language)	Tris – Tjejers rätt i samhället
Organisation (EN)	Tris – Girls’ rights in society
Government / Civil society	Civil Society
Funding body	County Administrative Board of Östergötland in Sweden
Reference (incl. url, where available)	https://www.tris.se/nyheter/lista/2020/2/18/projekt-lat-mig-stanna
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	December 2019 – November 2020 Thanks for both. Please in the promising practice the brief description, it is unclear the focus of the practice and how it links to the asylum process.
Type of initiative	To prevent honour-related violence and to increase knowledge and awareness
Main target group	Children in asylum-seeking families
Indicate level of implementation: Local/Regional/National	Local, regional and national.
Brief description (max. 1000 chars)	According to Tris, there is a clear tendency that children in families who are in the asylum process are not being heard since their parents are in focus. As a result, Tris notes that the best interest of the child is not always considered in the investigations and decisions of the Swedish Migration Agency. Efficiently, the fact that some children within asylum-seeking families are experiencing honour-related violence might, therefore, not be discovered during the asylum process because the parents are given too much focus.

	Consequently, the project's goal is to meet and communicate with the children in focus to fill knowledge gaps. This, in turn, will lead to new knowledge, methods and tools for professionals on how they can meet and protect children within asylum-seeking families from honour-related violence. To succeed, the project has the ambition to create a guidebook for professionals on all levels.
Highlight any element of the actions that is transferable (max. 500 chars)	Even if the project will develop a guidebook for the Swedish context, the challenge for civil servants to be aware of multiple and/or complex vulnerabilities is the same for all sectors and Member States. The book could easily be adapted to other contexts and countries. Another element of transferability is that the project has the ambition to make the children themselves aware of their rights. In conclusion, this makes the project transferable because it altogether enables chances to have a positive impact on the target group.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	On 30 April 2020, the Swedish government commissioned the Gender Equality Agency (<i>Jämställdhetsmyndigheten</i>) with identifying proper methods and measures, to prevent honour-related violence, which later will be disseminated to all municipalities in Sweden. With this in mind, the project will be sustainable since it will be a critical step within a bigger measure.
Give reasons why you consider the practice as having concrete measurable impact	The needs of persons with multiple vulnerabilities are often marginalised. Special efforts must therefore be made to change their situations. The different tools that will be included in the guidebook will be used by various stakeholders and may influence their work with the target group for the better.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	Asylum-seeking children in families exist in all Member States. A practice that can highlight their situation at large and raise awareness of potential honour-related oppression and violence within these families would be transferable to other settings. Furthermore, there is a need to gather more information about the group, also in other Member States.
Explain, if applicable, how the practice involves beneficiaries	The project is based on the experiences of asylum-seeking children in families and dialogues with this target group. The information collected from these children will, as

<p>and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>mentioned above, lead to the development of methods and tools. Different stakeholders that will take part of the guidebook include case officers at the Migration Agency and persons at local and regional authorities.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>The guidebook with its different methods and tools may be reviewed and assessed through different surveys aimed at civil servants and civil society organisations that have used the book.</p>

Thematic area	ACCESS TO JUSTICE, INCLUDING RIGHTS OF CRIME VICTIMS Please provide one example of a promising practice relating to the topics addressed in this chapter.
Title (original language)	Sluta skjut
Title (EN)	Stop shooting
Organisation (original language)	Samarbete mellan Malmö, Polisen, Kriminalvården och civilsamhällesorganisationer
Organisation (EN)	Cooperation between the City of Malmö, the Swedish Police, the Swedish Prison and Probation Service and civil society organisations
Government / Civil society	Government and civil society
Funding body	Government, and the EU Internal Security Fund (ISF)
Reference (incl. url, where available)	https://malmo.se/Sa-arbetar-vi-med.../Trygghet-och-sakerhet/Trygghetssamarbeten-med-myndigheter/Sluta-skjut.html https://polisen.se/om-polisen/polisens-arbete/dodligt-vald/sluta-skjut/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	The practice was initiated in February 2018 and will continue until the end of 2020. The year 2020 focuses on evaluation and dissemination of the knowledge produced within the project.
Type of initiative	The project's aim is to decrease the number of shootings, explosions and other aggravated violent acts between criminal groups in Malmö. The project applies a method called Group Violence Intervention (GVI).
Main target group	Persons who engage in criminal activities in Malmö
Indicate level of implementation: Local/Regional/National	Local

<p>Brief description (max. 1000 chars)</p>	<p>Stop shooting is a collaboration between the Police, the Prison and Probation Service, the City of Malmö and engaged citizens. The aim is to decrease shootings and other aggravated violent crimes. This will be done by making it more difficult to engage in this kind of violence, and easier for persons who want to find a way out from a violent and criminal life to get the necessary support. The strategy is based on a tested American model, GVI (group violence intervention), which has led to good results in American cities, like Boston and New Orleans. The project states that nobody want aggravated violence and shootings to happen – neither citizens and civil society organisations nor politicians, police and other authorities. Not even the persons engaged in the shooting want the aggravated violence to continue. Consequently, the project can be considered a joint effort to solve a complex problem that is not as simple as it may sound – to just stop shooting. The project has four defined goals:</p> <ul style="list-style-type: none"> • fewer cases of deadly and gross violence performed by criminal groups; • increased experience of security/safety in the city; • less need to use the police’s resources for investigations of deadly and gross violence • less need to use the healthcare and other societal resources for handling deadly and gross violence.
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>The implementation of the model in question that has worked well to stop violence in other contexts is transferable, as is the collaboration between different actors on different levels; municipal, governmental and civil society actors. To engage the persons, who in the end are the ones affected by the violence (or other issues), in the work, is also transferable.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to ‘one off activities’)</p>	<p>The new ways of collaboration will hopefully lead to sustainable relationships between different actors and make them more likely to collaborate around the issue also in the future. It is also sustainable since the concerned authorities claim that they all have a mutual strategy and goals, as opposed to before when they had the same goals but different strategies.</p>

Give reasons why you consider the practice as having concrete measurable impact	The project has four clearly defined goals and the impact of the measures can thus easily be checked against the goals.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	There are different problems with violent criminal groupings also in other Member States, and therefore the practice is transferable.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	The collaboration with civil society is an important part of the project. The influence of loved ones is crucial in relation to crime preventing work. The civil society have been included in different forms, from football teams to church leaders and organisations for mothers in socio-economically challenged areas.
Explain, if applicable, how the practice provides for review and assessment.	The practice will be reviewed during 2020 by Malmö University, in two forms. One process review, that aims to describe how the stakeholders have followed the process GVI and worked on translating the strategy to Swedish work ways, legislation and culture. And one, impact evaluation, that will focus on the overall goal of the program – to reduce the aggravated violence. Numbers of shootings, explosions and related deaths will be measured. If the evaluations show promising results, the stakeholders will continue to work according to the GVI strategy. ²

² Sweden, City of Malmö (*Malmö Stad*) Data collected through a telephone interview with project manager, 25 September 2020

Thematic area	<p>DEVELOPMENTS IN THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD)</p> <p>Please provide one promising practice example of projects or programmes implementing the CRPD or furthering the rights of persons with disabilities.</p>
Title (original language)	Nytt projekt ska stärka personer med intellektuell funktionsnedsättning
Title (EN)	New project to strengthen persons with intellectual disabilities
Organisation (original language)	Mittuniversitetet
Organisation (EN)	Mid Sweden University
Government / Civil society	Both municipal and civil society
Funding body	Mid Sweden University
Reference (incl. url, where available)	https://www.miun.se/kontakt/press/pressmeddelanden/2020-2/nytt-projekt-ska-starka-personer-med-intellektuell-funktionsnedsattning/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	February 2020 – 2021
Type of initiative	Healthcare research project
Main target group	Persons with intellectual disabilities over 18 years of age
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	Studies show that the health of persons with disabilities is ten times as bad as the rest of the population. Research shows that persons with intellectual disabilities generally have a higher BMI and are at greater risk of developing high blood pressure and obesity, which is preventable if they engage in physical activities. The new research project involves 50 adult men and women (over 18), 30 of them have an intellectual disability and live in a

	<p>municipal housing facility in Östersund (a municipality in the north of Sweden). An additional 20 persons are managers and employees at the group homes. Besides these persons, training coaches are included in the project. The aim is to find ways that make the training activities feasible in everyday life after the project's end by integrating physical training into the municipality's activities at the housing facility and connect the target group with the existing training clubs and facilities. The hope is to collaborate with local sports associations. Now, the sports association Friskis & Sveltis and the digital training service MyMowo cooperate with the project. The participants are to work out for 50 minutes three times a week during a twelve-week period. The sports association Friskis & Sveltis states that the organisation already has some workout programs that are adapted for persons with intellectual disabilities. However, the aim is to develop and offer better workouts in the gym for the target group. The project begins and ends with interviews and physical tests to evaluate the factors that affect physical activity and health.</p>
<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<p>The idea itself is very flexible and can be adapted to different types of systems and places, especially since parts of the programs happen online. Using local sports associations to not only implement the idea/project but to create a sense of belonging in the general society for persons with an intellectual disability must be seen as useful and valuable.</p>
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>As the idea is not only a research project but also a project that involves local actors and that plan to involve more local actors, sustainability can be thought to have a good chance. Another sustainability factor is the fact that it is already planned to be implemented into the municipality's activities at the accommodation/group homes.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The project involves 50 adults, 20 of whom are managers and employees at the group homes (and coaches). These managers, employees and coaches will be able to take this back to their group homes and implement it there, affecting everyone living there now, but indeed also persons who will live there in the future. Thus, possibly affecting</p>

	<p>everyone living and who will be living, in the municipalities group homes for persons with mental disabilities. This, in turn, could spread to other municipalities and possibly to a national level affecting multiple persons.</p>
<p>Give reasons why you consider the practice as transferable to other settings and/or Member States?</p>	<p>The problem of persons with intellectual disabilities generally having a higher BMI than the rest of the population and thus are at greater risk of developing high blood pressure and obesity is likely to exist in the other Member States. The project would thus be transferable as it provides a good possible solution to the problem. It is also a very flexible concept, increasing the transferability of the project/practice.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>The research project is developed by researchers and trainers with long-term experience of physical training for persons with disabilities.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>The project will be assessed and reviewed in 2021 as the project begins and ends with interviews and physical tests to evaluate the factors that affect physical activity and health.</p>

Annex 2 – Case Law

Thematic area	EQUALITY AND NON-DISCRIMINATION Please provide one high court decision addressing discrimination against older people or against LGBTI people. Where relevant, always highlight any relevance or reference to multiple or intersectional discrimination in the case you report.
Decision date	4 June 2019
Reference details	Stockholm Administrative Court of Appeal (<i>Kammarrätten i Stockholm</i>) Case number: 8559-18 The case was found through contact with several local anti-discrimination bureaus. The case can also be accessed via e-mail to the Administrative Court of Appeal referencing the case number. arkivet.kst@dom.se
Key facts of the case (max. 500 chars)	<p>A lesbian couple, SAR and SS, moved, in 2017, to Sweden from Spain with their son who they got through assisted reproduction. In Spain, they were both registered as the legal guardians of their son. However, in Sweden, the Swedish Tax Agency (<i>Skatteverket</i>) rejected SAR, who was not the biological parent, as the legal guardian of the boy in accordance with the agency's interpretation of the law.</p> <p>With support from the Discrimination Office in Uppsala, and later from the Discrimination Office Stockholm South the couple appealed the decision to the Stockholm Administrative Court. With approval of the appeal, the administrative court revoked the appealed decision and ordered that the Tax Agency should register parenthood in accordance with the notification. This decision was made 8 October 2018.</p> <p>This judgement was then appealed to the Stockholm Administrative Court of Appeal.</p>
Main reasoning/argumentation	The argumentation by the Tax Agency takes its starting point in that they only are a registration agency and as such, shall not make its own further examination of such information that is to be registered. Because they handle mass cases, they can only make

(max. 500 chars)

registrations based on easily ascertainable facts instead of making further examinations of individual cases. At this point, they argue, there is no legal support for register parenthood established abroad. Furthermore, the documentation was not clear in what way the information about parenthood was established in Spain. That the Tax Agency has not accepted the information on registered parenthood in Spain does not constitute an obstacle for SAR and SS to live in Sweden as a family with their son, as they can make a close adoption (*närstående adoption*).

SAR and SS, on the other hand, argues that the documentation from Spain is clear and consists of easily ascertainable facts, such as birth certificate and extracts from family book which clearly shows who is the parent of the child. They further argue that, according to article 8 of the European Convention on Human Rights, their right to private and family life has been violated as SAR and her son were legally deprived of each other, and SAR had to adopt her own son. Finally, they argue that it is common ground that heterosexual parents who have undergone assisted reproduction, would never have the same problem with not being registered as parent after moving to Sweden. This is because heterosexual cases fall under The Act on International Fatherhood Issues (*Lagen [1985:367] om internationella faderskapsfrågor*). SAR and SS claims that, according to Sweden's fulfilment of the European Convention on Human Rights and The EU Charter on rights, this law should be interpreted gender neutral.

The Administrative Court of Appeal agrees with the Tax Agency that they, as a registration agency, shall not conduct its own further examination of such information that is to be registered. However, the formal requirements for registration must be met. In this specific case, the court argues that the birth certificate and the extract from family book in Spain, does not meet the formal requirements that apply under Swedish law. The court thus considers that the Tax Agency's decision not to register SAR as parent to her son was correct.

<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The key question in this case is if SAR should be registered as parent to her son after moving to Sweden from Spain.</p> <p>The case clarifies that with current legislation there is a gap in the recognition of foreign parenthood when a lesbian couple have undergone assisted reproduction. As the same difficulties would not happen to a heterosexual couple, this could be discrimination.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>As the Administrative Court of Appeal ruled in favour of the Tax Agency, the Administrative Court's judgement was set aside. The judgement was pronounced in June 2019, and was then appealed, once again, to the Supreme Administrative Court.</p> <p>At this point, the key question raised in this case was already discussed in Swedish media and among politicians. In February 2020, the Ministry of Employment, and the Ministry of Justice, therefore appointed an inquiry with the task of evaluate increased opportunities to assert foreign parenthood in Sweden¹. More specific the inquiry shall, among other things:</p> <ul style="list-style-type: none"> - Take a position on how the mother in a lesbian couple, who is not the biological mother of a child, should be considered the child's parent even after a move to Sweden. - Analyse the consequences of the lack of Swedish laws that would make it possible to get a foreign motherhood accepted in Sweden. Furthermore, the inquiry should consider introducing such a law that would make it possible. <p>The inquiry will publish its final report in June 2021.</p> <p>Despite the unclear legal situation, the Supreme Administrative Court announced, in April 2020, that they would not grant a review permit (<i>prövningstillstånd</i>). This means that the Court of Appeal's decision, that the Swedish Tax Agency's decision was correct, is thus maintained.</p>

¹ Sweden, Ministry of Employment and the Ministry of Justice (*Arbetsmarknadsdepartamentet och Justitiedepartementet*) (2020), An inquiry is appointed to consider increased opportunities to assert foreign parenthood in Sweden (*Utredning tillsätts för att öveörväga utökade möjligheter att göra utländska föräldrarskap gällande i Sverige*), press release, 28 February 2020, [available here](#)

<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>The Tax Agency´s interpretation of the law:</p> <p>“The starting point must be that Swedish legislation is formulated in accordance with the European Convention on Human Rights, ECHR. Although, issues of parenthood several times have been the subject of consideration by the legislator, the issue of recognition of foreign parenthood has been left unresolved. The legislator may thus be considered to have taken a position on the issue in such a way that there should be no possibility of having a foreign parenthood recognized in Sweden and that the right to private and family life affected, is sufficiently protected as the woman who did not give birth to the child can adopt the child in Sweden”.</p> <p><i>(Utgångspunkten måste vara att svensk lagstiftning är utformad i enlighet med den europeiska konventionen angående skydd för de mänskliga rättigheterna och de grundläggande friheterna, EKMR. Trots att frågor om föräldraskap vid flera tillfällen har varit föremål för överväganden av lagstiftaren, så har frågan om erkännande av utländska föräldraskap lämnats oreglerad. Lagstiftaren får därmed anses ha tagit ställning till frågan på så sätt att det inte bör finnas en möjlighet att få ett utländskt föräldraskap erkänt i Sverige samt att berördas rätt till privat- och familjeliv är tillräckligt värnat genom att den kvinna som inte fött barnet kan adoptera det i Sverige).</i></p>

<p>Thematic area</p>	<p>RACISM, XENOPHOBIA AND RELATED INTOLERANCE.</p> <p>Please provide the most relevant high court decision concerning the application of <u>either</u> the Racial Equality Directive <u>or</u> the Framework Decision on racism and xenophobia, addressing racism, xenophobia and other forms of intolerance more generally.</p>
<p>Decision date</p>	<p>23 March 2020</p>

Reference details	<p>Court of Appeal for Lower Norrland (<i>Hovrätten för nedre Norrland</i>) Case number: B 1520-18 The Public Prosecutor's comment on the case The case was found using the legal database InfoTorg, but can also be accessed via email to the Court of Appeal for Lower Norrland by referring to the case number: hovratten.nedrenorrland@dom.se</p>
Key facts of the case (max. 500 chars)	<p>The case focuses on a defendant who was tried for agitation against an ethnic or national group for having written a Facebook group comment. The comment related to an article about a man with foreign background who had been convicted of rape with honour motives. The defendant's comment included the phrase "disgusting Muslim bastard" (<i>äckliga muslimjävel</i>). The Court of Appeal heard the defendant who said that he wrote what he did because he was angered by actions of the culprit in focus. The defendant maintained that he had no opinion of Muslims in general, but he thinks that rapists in general are disgusting. His comment was explicitly directed to the person in the article and to nobody else. The District Court freed the defendant of charges since it did not consider the message in question to be directed to any other person than the man in the article. However, the Court of Appeal saw things differently and found that the comment could hardly be interpreted to only refer to the man in focus since the comment directly related his criminality to his Muslim belief. Consequently, the Court of Appeal found the defendant guilty of agitation against an ethnic or national group.</p> <p>The defendant appealed the ruling to the Supreme Court. In March 2020, the Supreme Court granted leave to appeal.</p>
Main reasoning/argumentation (max. 500 chars)	<p>The question was whether the defendant showed contempt for an ethnic group or another group of persons regarding their ethnicity or religious belief. The District Court considered that this was not the case since the defendant had directed his message exclusively to the person mentioned in the Facebook group's article. The Court of Appeal ascertained that the legislation on agitation against an ethnic or national group does not presuppose that a</p>

	<p>message must be directed to several different persons within the actual group for it to be a criminal act. A message directed to one specific person can constitute agitation against an ethnic or national group if the message also expresses contempt for the whole group to which the person belongs.</p> <p>In the defendant's appeal, he stated that he should be freed from charges. He claims that his acts do not fill the objective or subjective prerequisite for criminal liability as defined in the Criminal Code.^[1] In the lower instances, the defendant claimed that his comment was directed exclusively to the person in the article, who was pointed out as a rapist. His expression was only condemning the person in the article, rather than a collectively defined group of persons. It is also following this his intention shall be judged. Against this background, there is no objective, nor subjective prerequisite for criminal liability, the defendant claims.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The case clarified that a message directed to an especially singled out person still constitutes agitation against an ethnic or national group if the message also expresses contempt for the group to which the person belongs.</p> <p>However, the Prosecution Development Centre (<i>Utvecklingscentrum</i>), who within the Swedish Prosecution Authority (<i>Åklagarmyndigheten</i>) are responsible for legal and method development, inter alia concerning the crimes according to chapter 16 in the Criminal Code, have indicated that the question if there is criminal liability for agitation against an ethnic or national group in a situation like the concerned, currently is judged differently in the Courts of Appeal throughout the country. According to the Prosecution Development Centre, it is important for the direction of the application of the law that the Supreme Court tries the case.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Court of Appeal decided on a conditional sentence combined with a day fine (<i>dagsböter</i>) for 40 days à 310 SEK (€29)</p>

<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p><i>Hovrätten konstaterar dock att brottet hets mot folkgrupp inte förutsätter att ett meddelande riktas till flera olika personer inom den aktuella folkgruppen. Ett meddelande som är riktat mot en särskilt utpekad person kan utgöra hets mot folkgrupp om meddelandet, förutom att det är nedsättande för adressaten, även uttrycker missaktning för folkgruppen som sådan. D.L.H:s kommentar måste ses i sitt sammanhang. Politikfaktas artikel handlar om en man av utländsk härkomst som dömts för en våldtäkt motiverad av heder. Kommentaren kan mot den bakgrunden svårligen uppfattas på annat sätt än att D.L.H menade att mannens brott var direkt kopplat till dennes förmodade religiösa övertygelse som muslim. Det står därmed klart att D.L.H visade missaktning för folkgruppen som sådan på det sätt som avses i bestämmelsen om hets mot folkgrupp. Eftersom kommentaren vidare tydligt överskridit gränsen för en saklig och vederhäftig debatt ska D.L.H dömas för hets mot folkgrupp. Brottet är inte att bedöma som ringa.</i></p> <p>(However, the Court of Appeal finds that the crime agitation against an ethnic or national group does not presuppose that a message is directed to several different persons within the concerned group. A message that is directed towards an especially singled out person can constitute agitation against an ethnic or national group if the message, apart from being derogatory for the recipient, also expresses contempt for the ethnic group as such. D.L.H's comment must be viewed in its context. Politikfakta's article concerns a man with foreign background who had been convicted of a rape motivated by honour. Against this background, the comment can hardly be perceived in any other way than that D.L.H considered that the man's crime was immediately related to his assumed religious belief as a Muslim. It is thus clear that D.L.H showed contempt for the ethnic group as such in the manner referred to in the provision on incitement against an ethnic or national group. Since the comment clearly exceeded the limit of a factual and valid debate, D.L.H. should be</p>

	convicted of incitement against an ethnic group. The crime is not to be considered as a minor felony.)
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Thematic area	ROMA EQUALITY AND INCLUSION Please provide the most relevant high court decision addressing violations of fundamental rights of Roma and Travellers.
Decision date	16 March 2020
Reference details	Göta Court of Appeal (<i>Göta Hovrätt</i>) Case number: T 1110-19 The case was found through desk research at the Equality Ombudsman's webpage, here The case can also be accessed via e-mail to the Court of Appeal referencing the case number. gota.hovratt@dom.se
Key facts of the case (max. 500 chars)	This case concerns the Court of Appeal's trial of the case that we reported on in connection with last year's annual report. A family wearing traditional Kaale Roma clothing was followed around in a toy store by the staff. The incident took place on 26 June 2017. The District Court found the toy store guilty of discrimination on the ground of ethnicity. The ruling was based on the testimonies and a mobile phone recording of the incident made by the family in question. The toy store appealed the ruling to the Court of Appeal that changed the ruling. The Court of Appeal found that there was a lack of evidence that could prove that the family had been treated in a way that disadvantaged them in comparison to anyone else in a comparable situation. ² The Court of Appeal also stated that there was a lack of facts that could show the probability correlation between the actions of the toy store staff and family's ethnical background. Nor could the circumstances be considered to insult the family's dignity.
Main reasoning/argumentation	The Court of Appeal found that the previous investigation in the District Court put too much emphasis on the injured parties' experiences and feelings of being followed around, rather than examining the actual evidence. The store staff claimed that they were

² Sweden, Discrimination Act (2008:567) (*Diskrimineringslag [2008:567]*), chapter 1, paragraph 4, 1 June 2015, [available here](#)

(max. 500 chars)	<p>randomly confronted by the family when they were on their way to take a break. They were suddenly confronted by the family, who accused them of following them, something that the staff experienced as rather unpleasant. The Court of Appeal considers that the incident was a misunderstanding based on coincidences, and possibly on the fact that the injured parties – as they expressed – often are treated worse than other persons are when they enter stores or restaurants. The Court of Appeal found that the injured parties’ testimonies on how the staff had acted and moved inside the store were of a rather general nature. Consequently, the statements did not give the Court of Appeal any clear picture of how the staff were supposed to have followed the family around.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>Since the parties could not agree on what had happened during the incident, word stands against word. The Court of Appeal reviewed the collected evidence, made up by the hearings in the District Court, and the mobile recording, mentioned above, covering the later part of the chain of events. The Court of Appeal found that hearings of both parties have a high burden of evidence. While the filmed sequence shows a toy store employee repeatedly saying that she will follow the family around and that she has the right to do so since it is her store, the Court did not find any evidence proving that this had anything to do with the family’s ethnic background, but rather with how they were acting at the time. Consequently, the case clarifies that in situations where evidence is lacking and word stands against word, the injured parties’ previous experiences and feelings of being discriminated do not take precedence over the circumstances and content of the existing evidence.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Equality Ombudsman (<i>Diskrimineringsombudsmannen</i>), who represented the injured parties, was sentenced to pay the toy store’s legal costs in the District Court and the Court of Appeal, which was attested to be 80,000 SEK (€7,690).</p>
<p>Key quotation in original language and translated into English with</p>	<p><i>"Sammanfattningsvis ger utredningen ett alltför stort utrymme för att A.B och M.L:s uppfattning att de blev förföljda inne i butiken var ett missförstånd grundat i tillfälligheter och möjligen i att de ofta – som de själva har uttryckt – blir bemötta på ett sämre sätt än</i></p>

reference details (max. 500 chars)

andra människor blir när de besöker butiker och restauranger. Det bör i detta sammanhang framhållas att A.B och M.L:s uppgifter om hur personalen rörde sig inne i butiken har varit tämligen allmänt hållna och att uppgifterna därmed inte har gett hovrätten någon tydlig bild av hur det påstådda efterföljandet närmare skulle ha gått till. Av det som hovrätten tidigare har anfört framgår att DO:s talan mot denna bakgrund inte kan bifallas. Detta eftersom de faktiska omständigheter som hade gett anledning att anta att familjen vid tillfället blev sämre behandlade än någon annan skulle ha behandlats i en jämförbar situation inte har bevisats från DO:s sida. Inte heller har då fakta lagts fram som gör att det kan antas att uppträdandet från butikens personal hade samband med familjens etniska tillhörighet eller att det under förutsättningarna kränkte familjens värdighet. Följaktligen ska DO:s talan lämnas utan bifall och tingsrättens dom ändras.”

In conclusion, the investigation gives too much room to A.B, and M.L’s opinion that they had been followed in the store was a misunderstanding grounded in coincidences, and possibly, in that they often – as expressed by themselves – are treated worse than other people are when they visit shops and restaurants. In this context, it should be stressed that A.B and M.L’s information on how the staff were moving inside the store have been rather general and that the information thus has not given the Court of Appeal any clear picture of how the claimed following would have happened. Due to what the Court of Appeal earlier has stated, it appears that the Equality Ombudsman’s claim, against this background, cannot be sustained. This is because the Equality Ombudsman has not proved the factual circumstances that had given reason to assume that the family in the situation was worse treated than anyone else would have in a comparable situation. Nor have facts been presented that makes it possible to assume that the behaviour of the store’s staff had any connection to the family’s ethnical background, or that it given the circumstances insulted the family’s dignity. Consequently, the Equality Ombudsman’s claim shall be left without approval, and the District Court’s sentence is changed.

Thematic area	INFORMATION SOCIETY, PRIVACY AND DATA PROTECTION Please provide the most relevant high court decision related to the topics addressed in the chapter, i.e. in relation to data protection, and/or artificial intelligence systems.
Decision date	Please note that this is not a decision made in court.
Reference details	https://www.datainspektionen.se/globalassets/dokument/beslut/2020-03-11-beslut-google.pdf
Key facts of the case (max. 500 chars)	On 1 March 2020, the Swedish Data Protection Authority (<i>Datainspektionen</i>) finalised a follow-up audit concerning how Google handles individuals' right to have search result listings for searches that includes their name removed from Google's search engine in case of for example lack of accuracy, relevance or if considered superfluous. After the audit, the authority has imposed a fine of 75 million SEK (€7.3 million) against Google. The Swedish Data Protection Authority is critical to the fact that Google did not properly remove two of the search result listings that the DPA had ordered them to remove back in 2017. In one of the cases, Google has done a too narrow interpretation of what web addresses needed to be removed from the search result listing. In the second case, Google has failed to remove the search result listing without undue delay.
Main reasoning/argumentation (max. 500 chars)	The Swedish Data Protection Authority is critical to the fact that Google did not properly remove two of the search result listings that the DPA had ordered them to remove back in 2017. In one of the cases, Google has done a too narrow interpretation of what web addresses needed to be removed from the search result listing. In the second case, Google has failed to remove the search result listing without undue delay. When Google removes a search result listing, it notifies the website to which the link is directed in a way that gives the site-owner knowledge of which webpage link was removed and who was behind the delisting request. This allows the site-owner to re-publish the webpage in question on another web address that will then be displayed in a Google search. This in practice puts the right to delisting out of effect, the DPA states. Google has stated that the two search result

	listings are isolated incidents concerning two individual registrations and are consequences of acceptable and well-founded interpretations of applicable legislation.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	<p>In May 2014, the Court of Justice of the EU ruled that an individual may request a search engine provider such as Google to remove a search result listing that contains the name of an individual in case the listing is incorrect, irrelevant or superfluous. This right was strengthened with the GDPR entering into force 25th May 2018. The right is however not absolute, you cannot demand that all search results are to be removed. Individuals who wish to exercise their right to request delisting should contact the search engine provider directly.</p> <p>In its delisting request form Google states that the site-owner will be notified of the request in a way that might result in individuals refraining from exercising their right to request delisting, thereby undermining the effectiveness of the right. Google does not have a legal basis for informing site-owners when search result listings are removed and furthermore gives individuals misleading information by the statement in the request form. That is why the DPA orders Google to cease and desist from this practice.</p>
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The Swedish Data Protection Authority imposes a fine of 75 million Swedish kronor (approximately €7,3 million) on Google for failure to comply with the GDPR. Google as a search engine operator has not fulfilled its obligations in respect of the right to request delisting. Google has not appealed the decision.
Key quotation in original language and translated into English with reference details (max. 500 chars)	"De behandlingar som denna tillsyn omfattar avseende klagomål 2 och 8 i det tidigare beslutet har inneburit att Google behandlar uppgifter som Datainspektionen i tidigare beslut funnit att Google behandlat i strid med personuppgiftslagen och dataskyddsdirektivet och förelagt Google att upphöra med. Det kan således inte anses vara fråga om ursäktliga, materiella feltolkningar. Det visar också en bristande respekt för enskildas rättigheter och

	<p>är därmed inte mindre överträdelser i den mening som avses i skäl 148 i dataskyddsförordningen.”³</p> <p>The hearing that this follow-up audit includes concerning complaint 2 and 8 in the previous decision have meant that Google treat data that the DPA in previous decisions have found that Google have handled in contravention of GDPR and the Data Protective Directive, and imposed Google to stop. It can thus not be considered to be question about excusable, material misinterpretations. The handling also shows a lacking respect for individual’s rights and is thus not minor infringements in the meaning referred to in reason 148 in the General Data Protection Regulation.</p>
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Thematic area	<p>RIGHTS OF THE CHILD</p> <p>Please provide the most relevant high court decision relating to the topics addressed in this chapter.</p>
Decision date	6 August 2020
Reference details	<p>Norrköping District Court (<i>Norrköpings Tingsrätt</i>)</p> <p>Case Number: B-353-20</p>

³ Sweden, Swedish Data Protection Authority (*Datainspektionen*) (2020) Follow-up audit in accordance with the EU general data protection regulation 2016/679 – Google’s handling of demands of delisting from its search engine (*Tillsyn enligt EU:s dataskyddsförordning 2016/679 – Googles hantering av begäranden om borttagande från dess söktjänster*), p.28, 10 March 2020, [available here](#)

	<p>The case can be accessed by emailing the District Court of Norrköping at norrkoping.tingsratt@dom.se and referring to the case number.</p>
<p>Key facts of the case (max. 500 chars)</p>	<p>On the 30 January 2020, the three-year-old girl E.G was found dead in her home. She was found under a bed, wrapped in sheets and plastic, which was further tied with laces. Moreover, the autopsy showed that E.G died from acid deficiency as a cause of her stomach content. This was in turn caused by vomiting after an eventual concussion. Another contributing factor to the death of E.G was the different types of drugs found in her body. However, the prosecutor has not been able to prove what in the end caused the death of E.G. Nonetheless, the mother, R.G was found guilty of gross causing of another's death (<i>grovt vållande till annans död</i>), drug offence (<i>narkotikabrott</i>) and a minor drug offence. It is important to note that the father, L.P, died during the investigation period and was therefore not prosecuted in court.</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The prosecutor indicated that R.B was guilty of aggravated assault (<i>grov misshandel</i>) because the intake of drugs that E.G got caused her suffering and made her unconscious. Moreover, the prosecutor also indicates that R.B should be found guilty of crimes against the peace of the grave (<i>griftefrid</i>) because E.G was found, as described earlier, wrapped in plastic and sheets two days after her death. However, the District Court did not find R.B guilty of assault, because there was not enough proof that E.G's injuries originated from physical abuse, even though she had several bruises and other injuries all over her body. The testimonies of R.B and L.P had indicated that a fall accident in the bathroom could have caused E.G's death. Furthermore, R.B could not be found guilty of a crime against the peace of the grave because L.P alone handled the girl's body after death. This is indicated by the stories of R.B, L.P and E.G.'s big brother, A.G. Moreover, L.Ps' fingerprints were also found on the material that E.G had been wrapped in. Consequently, he would have been found guilty of crime against the peace of the grave rather than R.B. Nevertheless, R.B was found guilty of drug offences since it was proven that her drug intake had impacted her at the day of E.G's death and drugs were also found in several places of the family's flat. Additionally, R.G was not found guilty of</p>

	<p>intentional murder since she was not present at the time of E.G's death. Even so, R.G was found guilty of gross causing of another's death, because as a parent, she was responsible for preventing her daughter from death, which she did not do because of her negligence. R.B argued that she did not cause her daughter's death and that she cannot remember the day of E.G's death in any details.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>Please note that this is not a high court decision. Still, the case is one of the most relevant and recent cases of violence against children. The key issues concerns the extent of a parent's responsibilities for a child. The case shows that even if there is no evidence indicating that the mother, R.G. had caused her child's death directly, her responsibility as a parent makes her guilty of gross causing of another's death.</p> <p>However, the case has led to a number of developments relating to the rights of biological parents in such cases. E.G had since her birth until April 2019 (almost 3 years) been living in a foster home since her parents' mental health and drug abuse made them unfit to take care of her. However, the decision to place E.G. in foster care was overruled by an administrative court that decided that the parents should get the custody of E.G from April 2019. The municipal social services assessed that it would be safe to return E.G to her biological parents and the administrative court followed their assessment in its ruling. The question raised by media and other actors was whether E.G would still be alive if she had been allowed to stay with the family who had been her foster family since her birth. For instance, an investigating article showed that several possible actions within the mandate of the municipal social welfare board (<i>socialtjänsten</i>) could have applied that would have stopped the move of E.G to her biological parents.⁴ Besides the key issues clarified in the case itself, the government has assigned a special inquirer with the task to investigate how the best interest of the child can be strengthened in cases when the compulsory care of the child is repealed, i.e. when the</p>

⁴ Sweden, Dagens Nyheter (daily newspaper) *The case Little Heart – important tools were not used in the case Little Heart (Fallet lilla hjärtat – Viktiga verktyg användes inte i fallet lilla hjärtat)*, 23 September 2020 [available here](#)

	care of the child is transferred to the biological parents after a period of compulsory care in a family home. The final report with proposals will be presented at the end of February 2021. ⁵
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	R.G was sentenced to one year and nine months of imprisonment. R.G shall also pay 30,000 SEK (€2,820) each to E.G's two siblings to mitigate the damages of mental suffering caused by the death of their sister, E.G. The Court argues that the imprisonment cannot be less than 1,5 years for a case of gross causing of another's death. At the same time, the Court argues that the length of the imprisonment is reasonable, with reference to the principle of aspiration (<i>aspirationsprincipen</i>) which implies that when a person is convicted for several crimes, the most severe crime gets its full penal value, while the penal value of the other crimes are reduced. ⁶ This, therefore, means that the crime for gross causing of another's death brings the fullest penal value while penal value for drug offences are reduced.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p><i>"I detta fall gör tingsrätten bedömningen att åtalet gällande vållande till annans död ska rubriceras som grovt eftersom handlingen utgjort ett medvetet risktagande av allvarligt slag och då R.G varit narkotikapåverkad under sin tillsynsplikt som vårdnadshavare. Trots denna rubricering anser inte tingsrätten att</i></p> <p><i>handlingen är sådan att den ligger mycket nära ett uppsåtligt dödande, det vill säga att R.G som angetts ovan varit likgiltig inför E.G:s död. Skadestånd ska därför utgå i enlighet med grundnivån på 30 000 kr till vardera A.G och S.G."</i></p> <p>In this case, the District Court considers that the charge of causing another person's death is classified as gross because the act has constituted a deliberate risk-taking of a serious nature and as R.G was under the influence of drugs during her duty as a guardian. Despite this classification, the District Court does not consider that the act is of a nature that it is very close to an intentional killing, that is to say, that R.G as stated above was indifferent to E.G's</p>

⁵ Sweden, Ministry of Health and Social Welfare (*Socialdepartementet*), Lex Little Heart – public inquiry to strengthen the principle of the best interest of the child (*L.ex Lilla hjärtat – utredningsuppdrag att stärka principen om barnets bästa.*) press release, 29 April 2020, [available here](#)

⁶ Sweden, Penal Code (*Brottsbalk [1962:700]*), ch 26, section 2, 1 July 2009, [available here](#)

	death. Damages must therefore be paid in accordance with the basic level of 30,000 SEK to each A.G and S.G.
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Thematic area	ACCESS TO JUSTICE, INCLUDING RIGHTS OF CRIME VICTIMS Please provide the most relevant high court decision relating to the topics addressed in this chapter.
Decision date	Please see the evaluation sheet for information about Case Law.
Reference details	Court of Appeal for Western Sweden (<i>Hovrätten för västra Sverige</i>) case number B 4602-19
Key facts of the case (max. 500 chars)	<p>The District Court found a man, S.K. guilty of sexual assault for fondling and touching E.D.'s legs, hips and crotch while she was sleeping and as a result was in a particularly vulnerable situation. S.K committed the act intentionally. S.K was also found guilty of gross illegal driving. The District Court sentenced S.K. to probation with 80 hours of community service for his crimes instead of imprisonment since he had no criminal history and since the sexual abuse was minor and of short duration. S.K denied the charges since he was of the opinion that he had received permission from E.D. Consequently, he appealed the case to the Court of Appeal for Western Sweden.</p> <p>The Court of Appeal also found S.K guilty of sexual assault. In ist ruling the Court deliberated whether the offence to be of such a nature that there is a presumption of imprisonment (<i>artbrott</i>) or if the District Court's arguments were reasonable. After deciding that this was not the case the Court of Appeal sentenced S.K to probation with 75 hours of community service for his crimes.</p>

<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>The Court poses the question whether the nature of the S-K's crime speaks for imprisonment, which is of importance for the question of whether a conditional sentence should be combined with community service.</p> <p>According to the Court, the Supreme Court has pointed out that the presumption of imprisonment may be relevant when there is a need for norm setting and an expectation to achieve moral-strengthening effects that counteract the type of crime in question. However, the type of crime alone is not decisive; an individualised assessment must also be made of how strongly the nature of the crime calls for imprisonment.</p> <p>When it comes to sexual abuse, the legislative history (<i>förrarbete</i>) states that the purpose of criminalising sexual offenses is to counteract their occurrence and influence people's values. On this basis, the Court of Appeal found that there are reasons to regard the crime of sexual abuse as a crime whose nature suggests that the punishment should be determined to imprisonment. An individualised assessment of the case where the Court of Appeal notes that S.K. sexually abused E.D. when she was in a particularly vulnerable situation also points towards an imprisonment sentence due to the nature of the crime. However, the Court argues that the fact that S.K. has accepted a conditional sentence combined with community service makes the sentence appropriate for a person in S.K.'s situation</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The case clarifies that sexual abuse must be considered to be of such a nature that there is a presumption of imprisonment (<i>artbrott</i>) and the kind of individual circumstances that may counteract this presumption.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Court of Appeal sentenced S.K to probation with 75 hours of community service for his crimes.</p>
<p>Key quotation in original language and translated into English with</p>	<p><i>Av lagförarbetena framgår att syftet med att kriminalisera sexuella övergrepp och andra sexuella kränkningar är att motverka förekomsten av dem. Avsikten är dessutom att</i></p>

reference details (max. 500 chars)

påverka människors värderingar och på så sätt understödja den allmänt omfattade insikten att sexuella övergrepp är skadliga och kränkande gärningar som måste bekämpas. Utgångspunkten är att alla oavsett ålder har rätt till en oinskränkt kroppslig integritet och att leva fria från sexuella kränkningar (prop. 2004/05:45 s. 21 f). Mot denna bakgrund konstaterar hovrätten att det finns skäl för att anse brottet sexuellt övergrepp som ett brott vars art talar för att påföljden ska bestämmas till fängelse. En individualiserad bedömning i förevarande fall - vid vilken hovrätten särskilt beaktar att S.K. otillbörligt har utnyttjat att E.D. på grund av sömn och berusning befann sig i en särskilt utsatt situation - leder också till slutsatsen att det finns skäl som med viss styrka talar för att påföljden bör bestämmas till fängelse på grund av brottets art.

Såsom särskilda skäl för att välja villkorlig dom i stället för fängelse beaktar hovrätten att S.K. har samtyckt till att domen förenas med en föreskrift om samhällstjänst och att en sådan föreskrift är lämplig med hänsyn till hans person och övriga omständigheter. Sålunda anser hovrätten att påföljden ska bestämmas till villkorlig dom med 75 timmars samhällstjänst. Om fängelse i stället hade valts som påföljd skulle fängelse i två månader ha dömts ut.

(The legislative history states that the purpose of criminalising sexual abuse and other sexual offenses is to counteract their occurrence. The intention is also to influence people's values and support the widespread realisation that sexual abuse is harmful and offensive acts that must be combated. The starting point is that everyone, regardless of age, has the right to an unrestricted physical integrity and to live free from sexual abuse (Government Bill 2004/05: 45 p. 21 f). Against this background, the Court of Appeal finds that there are reasons to regard the crime of sexual abuse as a crime of a nature that suggests that the punishment should be determined to imprisonment. An individualised assessment in the present case – in which the Court of Appeal pays special attention to the fact that S.K. has improperly exploited the fact that E.D. was in a particularly vulnerable situation due to sleep

and intoxication – also leads to the conclusion that there are reasons that with some emphasis suggest that the penalty should be determined to imprisonment due to the nature of the crime.

As special reasons for choosing a suspended sentence instead of imprisonment, the Court of Appeal considers the fact that S.K. has accepted that the sentence is combined with community service and that this is appropriate with regard to his person and other circumstances. Thus, the Court of Appeal considers that the sanction should be determined to a conditional sentence with 75 hours of community service. If imprisonment had instead been chosen as a punishment, two months imprisonment would have been imposed.)

Thematic area	Developments in the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) Please provide the most relevant high court decision making reference to the CRPD or employing the CRPD in their reasoning.
Decision date	22 January 2020
Reference details	Labour Court (<i>Arbetsdomstolen</i>) Case number: A-149-2018 The case can be found on: www.rattsinfosok.dom.se/lagrummet/index.jsp , by a search for the court and the case number in question. kansliet@arbetsdomstolen.se
Key facts of the case (max. 500 chars)	L.F. who is deaf, applied for a temporary position as a receptionist at the Interpreter Central (<i>Tolkcentralen</i>), run by Region Stockholm. The Interpreter Centre provides interpretation to persons with deafness, deaf-blindness or severe hearing impairments. Particular requirements for the job were mentioned in the ad, such as the need for applicants to master all telephone techniques, including voice telephony (<i>taltelefoni</i>). The applicant was not called for an interview, nor did he get the job with the reference to the fact that he was deaf and consequently cannot use ordinary voice telephony. The Union (<i>Unionen</i>), a labour union, sued Region Stockholm on behalf of L.F for discrimination against L.F. and the case was tried in the Labour Court. The Court had to decide whether the case constitutes direct discrimination, indirect discrimination or discrimination due to inadequate accessibility. The Union argued that Region Stockholm did not take necessary measures to ensure that L.F. would be in a comparable situation to persons without his disability. It was obvious that the employers knew that L.F. was deaf even though he had included this information in his job application. Additionally, the Union argue that being able to master voice telephony is not necessary for a person working in the reception in question. Since this is a small part of the job it should not had been mentioned in the ad- Furthermore, L.F would have been able to

	<p>handle calls coming in through the voice telephony with the help of colleagues who could have redirected the callers to other areas of communication.</p> <p>Region Stockholm argued that handling voice telephony constitutes the main part of the reception job. They are also the most prioritised ones since the urgent calls for interpretation from hospitals and other healthcare facilities come via voice telephony. Furthermore, the staff testified that voice telephony was the most stressful and demanding task. Since the reception was understaffed and the budget was limited, the need for a receptionist that could master voice telephony was high. Region Stockholm was well aware of what type of measures that could have been taken in order to assist L.F. in his work but the argued no realistic measures would have eliminated or reduced the effects of L.Fs disability in such a way that would put him in a comparable situation with the other applicants for the job. The applicant who got the job could handle all telephony techniques and had experiences from other service jobs. Finally, Region Stockholm stated that the fact that they were aware of L.F.s deafness did not change their hiring process, and L.F was treated like any other applicant when they assessed if he had the required qualifications or not.</p>
Main reasoning/argumentation (max. 500 chars)	<p>The Labour Court argues that it must be considered proven that voice telephony was the most common way to receive bookings, next to e-mail and the only way to receive prioritised urgent calls. The Court argues that this alone shows that voice telephony is the most important task in the reception at the Interpretation Central. Furthermore, the Labour Court agrees with the Region Stockholm that it was necessary to hire someone with the ability to handle voice telephony due to the staffing situation at the time of the hiring. As L.F could not handle voice telephony because of his disability, he was not in a comparable situation with a person without his disability. Consequently, the Court finds that Region Stockholm did not discriminate L.F., neither directly nor indirectly</p>

	<p>The Labour Court adds that nothing suggests that Region Stockholm treated L.F. any different than they would have any other applicant that could not handle voice telephony.</p> <p>Concerning accessibility, the Labour Court has also taken the E.U. directive 2000/78/EG and the Convention on the Rights of Persons with Disabilities into consideration. The Labour Court finds the Region Stockholm's behaviour to be reasonable. The Region was well aware of the available measures that could have been taken and had based its assessment on this awareness. The assessment was that no external measures would place L.F. in a comparable situation with persons who did not share his disability or could not handle voice telephony for any other reason. The Labour Court argues that since L.F. would not have been able to handle the most prominent task in the reception, another person would have had to do this part for L.F. As the reception already was understaffed, Region Stockholm would have had to hire two persons to do one person's job, which the Labour Court did not consider a reasonable measure in this situation.</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The case clarifies that mentioning specific requirements for a job that in fact means that deaf persons cannot apply for the job cannot be considered indirect discrimination under the current circumstances.</p> <p>The case also clarifies that to require that a person can handle certain work tasks cannot be considered inadequate accessibility, regardless of whether or not the person can perform the job as a result of a disability or for some other reason.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>The Labour Court found that Region Stockholm had not discriminated L.F. – neither directly, indirectly nor through inadequate accessibility. Consequently, the Court dismissed the Union's claim. The Union has to reimburse Region Stockholm's legal costs (201,000 SEK, (€19,340).</p>
<p>Key quotation in original language and translated</p>	<p><i>Arbetsdomstolen har i det föregående kommit fram till att arbetet med taltelefoni var en av de väsentligaste arbetsuppgifterna i den utannonserade anställningen. Arbetsdomstolen har</i></p>

into English with reference details (max. 500 chars)

även kommit fram till med beaktande av hur bemanningen såg ut vid Tolkcentralen vid tidpunkten för rekryteringen, mängden av beställningar via taltelefon, att just brådskande beställningar var beroende av taltelefonen samt att taltelefoni var den mest betungande arbetsuppgiften, att Tolkcentralen behövde anställa någon som kunde ta emot beställningar även via taltelefon. Detta betyder att kravet på att även den personen skulle behärska taltelefoni, enligt Arbetsdomstolens mening, varit nödvändigt och lämpligt för att uppnå det berättigade syftet att effektivt fullgöra uppdraget att ta emot tolkbeställningar och bistå med tolkupdrag. Landstinget har därmed inte heller gjort sig skyldigt till indirekt diskriminering av L.F. (...) L.F. kunde inte, på grund av sin funktionsnedsättning, arbeta med taltelefonsamtal. Han befann sig därför inte i en jämförbar situation med en person som kunde arbeta med taltelefoni. Landstinget har därmed inte gjort sig skyldigt till direkt diskriminering av L.F. (...) Eftersom det är utrett att det inte funnits några åtgärder för tillgänglighet att vidta, saknar det betydelse om landstinget, som kände till att L.F. var döv samt vilka hjälpmedel som fanns, inför bortsorterandet av L.F:s ansökan närmare övervägt eller undersökt detta. Sammanfattningsvis gör Arbetsdomstolen bedömningen att landstinget inte diskriminerat L.F. genom bristande tillgänglighet.

(The Labour Court has previously concluded that the voice telephony was one of the essential tasks in the reception. Furthermore, the Labour Court has concluded that the Interpretation Centre needed to employ someone who could handle voice telephony due to the staffing situation at the time of the recruitment, the number of bookings via voice telephone, and because urgent calls came through the voice telephone. Additionally, voice telephony was the most burdensome task of the job. Thus, the Labour Court finds that the Interpretation Centre needed to hire someone that was able to handle the voice telephony to fulfil the task the centre is assigned, and the requirement is thus deemed necessary. Hence, the Stockholm County Council were considered to be not to be guilty of indirect discrimination against L.F. (...) L.F. could not handle voice telephony due to his disability and were thus not in a comparable situation with persons who did not share his disability. The Stockholm County Council has therefore not directly discriminated L.F. (...) As it has

	<p>been established that there were no measures for accessibility to take, it is irrelevant whether the Stockholm County Council, who knew that L.F. was deaf and what available aids, considered or examined this before deciding not to employ L.F. In summary, the Labour Court concludes that the Stockholm County Council did not discriminate L.F. due to the lack of accessibility.)</p>
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