

# **SWEDEN 2020 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

The Kingdom of Sweden is a constitutional monarchy with a freely elected multiparty parliamentary form of government. Legislative authority rests in the unicameral parliament (Riksdag). Observers considered the general elections in 2018 to be free and fair. In January 2019 a center-left coalition led by Stefan Lofven of the Social Democratic Party assumed office. The king is largely a symbolic head of state. The prime minister is the head of government and exercises executive authority.

The national police are responsible for law enforcement and general order within the country. The Security Service is responsible for national security related to terrorism, extremism, and espionage. The Ministry of Justice provides funding and letters of instruction for both branches of the police's activities, but it does not control how police perform them. According to the constitution, all branches of police are independent authorities. Civilian authorities maintained effective control over the security forces. There were no reports that members of security forces committed abuses.

There were no reports of significant human rights abuses.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings. The Special investigations Department investigates, following a directive by the Special Prosecution Office, complaints filed against police

## SWEDEN

officials. The department is an independent organization of the Swedish Police Authority.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, and there were no reports that government officials employed them.

Impunity was not a significant problem in the security forces.

### **Prison and Detention Center Conditions**

There were no significant reports regarding prison or detention center conditions that raised human rights concerns.

**Physical Conditions:** There were no major concerns in prisons and detention centers regarding physical conditions or inmate abuse.

**Administration:** Authorities conducted proper investigations of credible allegations of mistreatment.

**Independent Monitoring:** The government permitted monitoring by independent, nongovernmental observers, including the Council of Europe's Committee for the Prevention of Torture (CPT).

### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

## SWEDEN

### **Arrest Procedures and Treatment of Detainees**

The law requires warrants based on evidence and issued by duly authorized officials for arrests. Police must file charges within six hours against persons detained for disturbing public order or considered dangerous and within 12 hours against those detained on other grounds. Police may hold a person six hours for questioning or as long as 12 hours if deemed necessary for the investigation, without a court order. After questioning, authorities must either arrest or release an individual, based on the level of suspicion. If a suspect is arrested, the prosecutor has 24 hours (or three days in exceptional circumstances) to request continued detention. Authorities must arraign an arrested suspect within 48 hours and begin initial prosecution within two weeks unless there are extenuating circumstances. Authorities generally respected these requirements.

Although there is no system of bail, courts routinely released defendants pending trial unless authorities considered them dangerous, had reason to believe they would tamper with witnesses or evidence, or believed the suspect might leave the country. The law affords detainees prompt access to lawyers. A 2015 CPT report noted that access to legal counsel at times was delayed. A suspect has a right to legal representation when the prosecutor requests his detention beyond 24 hours (or three days in exceptional circumstances). Detainees may retain a lawyer of their choice. In criminal cases the government is obligated to provide an attorney, regardless of the defendant's financial situation.

Restrictive conditions for prisoners held in pretrial custody remained a problem, although the law includes the possibility of appealing a decision to impose specific restrictions to the court of appeals and ultimately to the Supreme Court. Restrictions can be imposed on detainee's rights to be held with other detainees, interact with others, follow events in the outside world, be in the possession of newspapers and magazines, see visitors, communicate with others by electronic means, and send or receive mail. Such restrictions may only be applied if there is a risk that a suspect will tamper with evidence or otherwise impede the investigation of the matter at issue.

By law a detainee not under restriction has the right to be with others during daytime hours. According to the Swedish Prison and Probation Service, 68 percent

## **SWEDEN**

of those who ended a pretrial custody some time during 2019 had been under some kind of restriction at the beginning of their custody. The Swedish Prison and Probation Service failed to provide 30 percent of persons held in pretrial custody in 2019 with at least two hours per day of meaningful social interaction, which is the UN minimum. The government reimburses defendants found not guilty for damages suffered during pretrial detention.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality.

#### **Trial Procedures**

The constitution provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants enjoy a presumption of innocence, have a right to be informed promptly and in detail of the charges against them, and have a right to a fair, timely, public trial. Cases of a sensitive nature, including those involving children, rape, and national security, may be closed to the public. Defendants may be present at their trial. Defendants have the right to consult an attorney of their choice. In criminal cases the government is obligated to provide a defense attorney. Prisoners always have the right to meet their lawyers in private. Defendants generally have adequate time and facilities to prepare their defense, with free language interpretation as required, from the moment the defendant is charged through all appeals. Defendants may confront or question prosecution or plaintiff witnesses, and present witnesses and evidence on their own behalf. They may not be compelled to testify or confess guilt. If convicted, defendants have the right to appeal.

#### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

## SWEDEN

### **Civil Judicial Procedures and Remedies**

Individuals and organizations may seek civil remedies for human rights violations in the general court system. Citizens may appeal cases involving alleged violations of the European Convention on Human Rights by the government to the European Court of Human Rights.

### **Property Restitution**

The government did not confiscate property belonging to Jews, Roma, or other groups targeted by Nazi Germany during the Holocaust era, and Jewish and human rights nongovernmental organizations (NGOs) reported no disputes related to restitution.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly on July 29, 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

## **Section 2. Respect for Civil Liberties, Including**

### **a. Freedom of Expression, Including for the Press**

The constitution provides for freedom of expression, including for the press, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press.

**Freedom of Speech:** The law criminalizes expression considered to be hate speech and prohibits threats or statements of contempt for a group or member of a group based on race, color, national or ethnic origin, religious belief, or sexual orientation. Penalties for hate speech range from fines to a maximum of four years

## SWEDEN

in prison. In addition the country's courts have held that it is illegal to wear xenophobic symbols or racist paraphernalia or to display signs and banners with inflammatory symbols at rallies.

**Freedom of Press and Media, Including Online Media:** Independent media were active and expressed a wide variety of views without restriction. The law criminalizing hate speech applies as well to print and broadcast media, the publication of books, and online newspapers and journals.

**Nongovernmental Impact:** Journalists were subjected to harassment and intimidation. Swedish Television (SVT) reported it handled an average of 35 security threats daily. Threats ranged from social media attacks on journalists and information technology breaches to physical threats against employees. The CEO stated in August that security costs had quadrupled since 2015 and that she had to have a bodyguard.

On February 26, Tumso Abdurakhmanov, a blogger critical of authorities in Chechnya, Russia, survived a violent assault in his home in Gavle. Two Russian nationals were arrested in connection with the attack.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

### **c. Freedom of Religion**

## SWEDEN

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement**

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

### **e. Status and Treatment of Internally Displaced Persons**

Not applicable.

### **f. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. Applicants may appeal unfavorable asylum decisions.

**Safe Country of Origin/Transit:** In accordance with EU regulations, the government denied asylum to persons who had previously registered in another EU or Schengen member state or in countries with which the government maintained reciprocal return agreements.

**Access to Basic Services:** Asylum seekers who have been denied residence are not entitled to asylum housing or a daily allowance, although some municipalities continued to support rejected asylum seekers through the social welfare system at the local level.

**Durable Solutions:** The government assisted in the voluntary return of rejected asylum seekers to their homes and authorized financial support for their repatriation in the amount of 30,000 kronor (\$3,425) per adult and 15,000 kronor (\$1,712) per child, with a maximum of 75,000 kronor (\$8,562) per family. The

## SWEDEN

country also participated in the European Reintegration Network that offered support for the reintegration of returning rejected asylum seekers.

**Temporary Protection:** The government also provided various forms of temporary protection to individuals who may not qualify as refugees and provided subsidiary protection to 2,307 persons in 2019.

### **g. Stateless Persons**

According to UNHCR there were 30,305 stateless persons in the country at the end of December 2019. The large number of stateless persons was due to the influx of migrants and refugees and the birth of children to stateless parents who remained stateless until either one parent acquired citizenship or a special application for citizenship (available for stateless children under the age of five) was made. Most stateless persons came from the Middle East (Gaza and the West Bank, Lebanon, Syria, and Iraq) and Somalia.

Stateless persons who are granted permanent residence can obtain citizenship through the same naturalization process as other permanent residents. Gaining citizenship generally took four to eight years, depending on the individual's grounds for residency, ability to establish identity, and lack of a criminal record.

### **Section 3. Freedom to Participate in the Political Process**

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

#### **Elections and Political Participation**

**Recent Elections:** Observers considered the general elections held in 2018 to be free and fair.

**Participation of Women and Members of Minority Groups:** No laws limit participation of women or members of minority groups in the political process, and they did participate.



## SWEDEN

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption.

**Financial Disclosure:** The law requires public officials and political parties to disclose their income and assets. The declarations are available to the public, and there are criminal and administrative sanctions for noncompliance.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views.

**Government Human Rights Bodies:** The country had nine national ombudsmen: four justice ombudsmen; the chancellor of justice; the children's ombudsman; the consumer ombudsman; the child and school student ombudsman; and the equality ombudsman with responsibility for ethnicity, gender, transsexual identity, religion, age, sexual orientation, and disabilities. There were normally ombudsmen at the municipal level as well. The ombudsmen enjoyed the government's cooperation and operated without government or party interference. They had adequate resources, and observers considered them generally effective.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

#### **Women**

## SWEDEN

**Rape and Domestic Violence:** Rape of both women and men, including spousal rape and domestic violence, is illegal, and the government enforced the law effectively. Penalties range from two to 10 years in prison.

The National Council for Crime Prevention (NCCP) reported 8,580 cases of rape in 2019, an increase of approximately 8 percent compared with the previous year. Women and girls were victims in 92 percent of the cases. In 2019, 1,510 cases were taken to court (10 percent more than in 2018). The number of rape convictions increased by 75 percent between 2017 (190 convictions) and 2019 (333), since a new law based the criminal liability on the absence of consent. Domestic violence remained a problem, and 10,500 cases between adults were reported during 2019. Of these cases, 8,820 were violence against women.

The law provides for the protection of survivors from contact with their abusers. When necessary, authorities helped survivors to protect their identities or to obtain new identities and homes. Both national and local governments helped fund volunteer groups that provided shelter and other assistance for abused women.

**Other Harmful Traditional Practices:** Honor-related violence often involved immigrants from the Middle East or South Asia. The national support line for those who need advice in situations concerning honor-related violence reported a significant increase of calls from 223 in 2018 to 427 calls in 2019. The calls mostly concerned child or forced marriage, abduction or being held abroad, or female genital mutilation or cutting (FGM/C).

**Sexual Harassment:** The law prohibits sexual harassment and provides for criminal penalties from a fine to up to two years in prison. The government generally enforced this law.

**Reproductive Rights:** Couples and individuals have the right to decide the number, spacing, and timing of their children; to manage their reproductive health; and to have access to the information and means to do so, free from discrimination, coercion, or violence. The government provided access to sexual and reproductive health services for survivors of sexual violence.

## SWEDEN

**Coercion in Population Control:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

**Discrimination:** Women have the same legal status and rights as men, including under family, religious, personal status, labor, property, nationality, and inheritance law. Women were underrepresented in high-ranking positions in both the public and the private sectors. The government enforced the laws effectively.

### Children

**Birth Registration:** Citizenship is derived from one's parents. The tax authority immediately registered in the national population register all children born in the country, regardless of their parents' citizenship, or immigration or residency status in the country.

**Child Abuse:** The law prohibits parents or other caretakers from abusing children mentally or physically. Penalties range from a fine up to 10 years in prison. Cases of child abuse were reported. Authorities may remove abused children from their homes and place them in foster care. Rape of a child carries a penalty of two to 10 years in prison.

**Child, Early, and Forced Marriage:** The minimum age of marriage is 18, and it is illegal for anyone under 18 to marry. The government will legally recognize as valid the marriage of anyone who comes to the country after the age of 18, even if they were married abroad before the age of 18. The government does not recognize a foreign child marriage if either of the parties was a Swedish citizen or resident in Sweden at the time of marriage. According to changes in the law during the year, compelling or allowing a child to marry is punishable by up to two years in prison. Municipalities' social welfare services can petition administrative courts to issue travel restrictions to protect at-risk children from being taken out of the country for marriage. Such children are not to be issued passports, and issued passports are to be rescinded. The law makes it a crime to take a child under travel restrictions out of the country, with a punishment of up to two years in prison.

**Sexual Exploitation of Children:** The law criminalizes "contact with children under 15 for sexual purposes," including internet contact intended to lead to sexual

## SWEDEN

assault. Penalties range from fines to one year in prison. The law prohibits the sale of children; penalties range from two to 10 years in prison. It also bans child pornography with penalties ranging from fines to six years in prison. Authorities enforced the law. The minimum age for consensual sex is 15.

**International Child Abductions:** The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

### Anti-Semitism

Leaders of the Jewish community estimated there were 20,000 Jews in the country and approximately 6,000 registered members of Jewish congregations. The NCCP registered 280 anti-Semitic crimes in 2018, compared with 182 in 2016. Anti-Semitic crimes accounted for 4 percent of all hate crimes. Anti-Semitic crimes included threats, verbal abuse, vandalism, graffiti, harassment in schools, and Holocaust denial. Anti-Semitic incidents were often associated with neo-Nazi movements, events in the Middle East, and the actions of the Israeli government. Swedish Jews were often blamed for Israeli policies.

The most common forms of anti-Semitism were hate speech (45 percent of complaints), unlawful threats or harassment (34 percent), vandalism or graffiti (8 percent), and defamation (8 percent). Of the 182 investigations opened in 2016, 52 percent were dismissed; 37 percent were directly dismissed without a formal investigation due to lack of evidence. Formal charges were brought in 9 percent of the cases.

Media reported that on Yom Kippur, the most holy day of the Jewish calendar, approximately 10 members of the neo-Nazi Nordic Resistance Movement (NRM) demonstrated outside the synagogue in Norrköping. The NRM also distributed flyers with anti-Semitic messages and hung posters with anti-Semitic messages in 10 cities. The Official Council of Swedish Jewish Communities expressed disgust over the actions and called for the government to ban the organization. On October 1, the Swedish Committee against Anti-Semitism requested increased

## SWEDEN

action and awareness from police and judicial agencies regarding anti-Semitic crimes in an opinion piece in the major newspaper, *Dagens Nyheter*.

In 2019 the government-appointed an all-party committee to consider the introduction of specific criminal liability for participation in a racist organization and a ban on racist organizations, such as the NRM.

In February unknown persons left a bag with a Star of David on it containing soap and anti-Semitic literature outside an exhibition about the Holocaust in Norrköping.

Police, politicians, media, and Jewish groups have stated that anti-Semitism has been especially prevalent in Malmö. The Simon Wiesenthal Center left in place its travel advisory, first issued in 2010, regarding travel in southern Sweden, because Jews in Malmö could be “subject to anti-Semitic taunts and harassment.” A small group of young men participated in anti-Semitic chants during August riots that were sparked after a right-wing group burned a Quran.

In January the prime minister endorsed the International Holocaust Remembrance Alliance Working Definition of Anti-Semitism, including its examples. In the same month, the prime minister visited Jerusalem and the Auschwitz-Birkenau concentration camp in Poland.

In January the equality ombudsman concluded the first of three inquiries into a Jewish doctor’s allegations of anti-Semitism at New Karolinska Hospital and found that the hospital did not comply with its duty under the law to investigate alleged harassment. In November the equality ombudsman concluded the second inquiry and found that the doctor’s union, the Swedish Medical Association, also violated the law. The union had advised the doctor to file a criminal case, since it assessed a union complaint would be unsuccessful and risked harming the relationship between the union and the employer. The equality ombudsman found that the union would not have advised a member in this way if the grounds for the complaint had been disability or sex, and therefore it had discriminated against the doctor on the basis of ethnicity. The third inquiry continued at year’s end.

## SWEDEN

For 2019 and 2020, the government allocated 22 million kronor (\$2.5 million) for grants to increase security for threatened places of worship and other parts of civil society. All religious communities and civil society actors who believe they have been threatened may apply for the grant. In 2019 a total of 9.2 million kronor (\$1.1 million) was allocated for security measures in 10 different faith communities. Of the amount, 57 percent was granted to the Official Council of Swedish Jewish Communities.

On February 27, the government allocated an additional 10 million kronor (\$1.1 million) to increase knowledge-based activities about the Holocaust and anti-Semitism as a part of a special initiative connected to the high-level forum on Remembrance of the Holocaust and addressing contemporary anti-Semitism.

The Living History Forum is a public authority commissioned to address societal problems related to religious and ethnic tolerance, democracy, and human rights using the Holocaust and other crimes against humanity as its starting point. The Forum sensitized the public, and particularly the young, to the need to respect the equal value of all persons, with a specific focus on teaching about the Holocaust as a means of fighting Holocaust denial and anti-Semitism.

The Media Council, a government agency whose primary task is to train minors to be conscious media users and to protect them from harmful media influences, initiated a No Hate Speech Movement campaign and worked to stop anti-Semitic conspiracy theories. The government allocated five million kronor (\$571,000) annually from 2018 to 2020 to strengthen opportunities for study visits to Holocaust memorial sites and allow more students and teachers to visit them.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

## SWEDEN

The law prohibits discrimination against persons with disabilities. The government effectively enforced these provisions and held accountable those responsible for violations.

Government regulations require new buildings and public facilities to be fully accessible. Observers reported cases of insufficient access to privately owned buildings used by the public, such as apartments, restaurants, and bars. Some means of public transportation remained inaccessible.

### **Members of National/Racial/Ethnic Minority Groups**

Societal discrimination and violence against immigrants and Roma continued to be problems.

Police registered reports of xenophobic crimes, some of which were linked to neo-Nazi or white supremacy ideology. Police investigated and the district attorney's office prosecuted race-related crimes. The Security Service has concluded that right-wing extremism was on the rise in Sweden: Right-wing propaganda spread more widely, and more individuals were attracted to the movement. Neo-Nazi groups operated legally (see section 2.a.). The NRM was the largest white supremacy group with approximately 160 active members. The NRM registered as a political party and participated in the parliamentary and local elections in 2018 but did not win any seats. Rallies organized by the NRM attracted 500-600 participants.

The National Coordinator for Vulnerable EU Citizens estimated in 2019 that 4,500-5,000 vulnerable EU citizens, the vast majority of whom were Roma from Romania and Bulgaria, resided in the country in abject poverty at any given time. As EU citizens, they are allowed to stay in the country without permission for up to three months, but authorities did not enforce this limit. Police stated that most Roma were in the country voluntarily but that there were cases of trafficking and forced begging. When the coordinator's work finished, NGOs criticized the final report as insufficiently thorough.

Several districts in the country where a majority of the population was of immigrant origin or parentage suffered social segregation from the rest of the

## SWEDEN

country. The result was lower levels of education, higher levels of unemployment, and separation from the country's mainstream culture mainly due to poor Swedish-language skills.

The country's official minority languages are all varieties of Finnish, Yiddish, Meankieli, Romani Chib, and Sami. In 2019 government supported with grants a language workshop (Yiddish), a festival and summer camp (Meankieli), children's reading with support of retired citizens as volunteers (Finnish), interviewing and writing about the Romani experience (Romani Chib), and a writing competition (Sami).

### **Indigenous People**

The approximately 20,000 Sami in the country are full citizens with the right to vote in elections and participate in the government, including as members of the country's parliament. They are not, however, represented as a group in parliament. A 31-member elected administrative authority called the Sami parliament (Sametinget) also represented Sami. The Sami parliament acts as an advisory body to the government and has limited decision-making powers in matters related to preserving the Sami culture, language, and schooling. The national parliament and government regulations govern the Sami parliament's operations.

Longstanding tensions between the Sami and the government over land and natural resources persisted, as did tensions between the Sami and private landowners over reindeer grazing rights. Certain Sami have grazing and fishing rights, depending on their history.

Citing laws from the 14th and 15th century, the Supreme Court ruled that the Girjas Sami village, not the government, has the exclusive right to administer hunting and fishing in their area. The case, which lasted more than a decade, only applied to Girjas, but other Sami villages filed similar cases.

### **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity**



## SWEDEN

Antidiscrimination laws exist; apply to lesbian, gay, bisexual, transgender, and intersex individuals; and were enforced. In the assessment of a crime's penalty, special consideration must be given if the crime was motivated by a person's or group's sexual orientation.

### **Other Societal Violence or Discrimination**

In 2018 the NCCP identified 7,090 police reports with a hate-crime motive, a majority with xenophobic motives. Of the reports, 8 percent were anti-Muslim. Anti-Christian, and other antireligious hate crimes accounted for 4 percent each.

In August, Swedish followers of a Danish right-wing extremist in Malmo burned a Quran. Right-wing extremists also burned Qurans in September in predominantly Muslim suburbs of Stockholm and Malmo. The Danish far-right Hard Line (Stram Kurs) party claimed responsibility for the burnings, which were filmed and posted on the internet. The August burning of the Quran in Malmo provoked rioting, but the September Quran burnings did not.

The basic training for police officers includes training on identifying and investigating hate crimes. Emergency call responders are continuously trained in identifying hate crime motives in crime reports. Police cooperated with Victim Support Sweden, which helps and supports victims, witnesses, and others affected by crime.

Police in Stockholm, Gothenburg, and Malmo have democracy and anti-hate-crime groups. The National Center for Preventing Violent Extremism under the auspices of the NCCP serves as a clearinghouse for information, best practices, and support of municipalities, agencies, and other actors.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The government effectively enforced the law and penalties were commensurate with those for similar crimes. The law prohibits antiunion discrimination and provides for protection of workers

## SWEDEN

from being fired because of union activity. If a court finds a dismissal to be unlawful, the employee has the right to reinstatement.

Foreign companies may be exempt from collective bargaining, provided they meet minimum working conditions and levels of pay. Public-sector employees enjoy the right to strike, subject to limitations in the collective agreements protecting the public's immediate health and security. The government mediation service may also intervene to postpone a strike for up to 14 days for mediation. The International Trade Union Confederation (ITUC) claimed the law restricts the rights of the country's trade unions to take industrial action on behalf of foreign workers in foreign companies operating in the country. The law allows unions to conduct their activities largely without interference. The government effectively enforced applicable laws. The Labor Court settles any dispute that affects the relationship between employers and employees. An employer organization, an employee organization, or an employer who has entered into a collective agreement on an individual basis may lodge claims. The Labor Court may impose prison sentences commensurate with those for similar violations. Administrative and judicial procedures were not subject to lengthy delays and appeals.

Workers and employers exercised all legal collective bargaining rights, which the government protected. The government and employers respected freedom of association and the right to collective bargaining. ITUC reported no serious violations of worker rights in 2019 and 2020.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, including by children, and the government effectively enforced the law. Penalties of imprisonment were generally commensurate with those for similar crimes. Forced labor involving trafficked men and women occurred in agriculture (including involving companies providing foreign labor for berry picking), construction, hospitality, domestic work, forced begging, and theft, and there were reports of forced begging involving trafficked children (see section 7.c.). In some cases employers or contractors providing labor seized the passports of workers and withheld their pay. Resources and inspections were adequate.

## SWEDEN

According to the latest government statistics from the NCCP, 274 cases of suspected human trafficking were reported to police in 2019. Of those, 42 concerned adult forced labor, six adult forced begging, and 54 other forms. The figures included reports for a new category of crime, human exploitation, with 41 cases of human exploitation for adult forced labor and three for human exploitation of adults for the purpose of begging.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the worst forms of child labor. It permits full-time employment from the age of 16 under the supervision of local authorities. Employees younger than age 18 may work only during daytime and under supervision. Children as young as 13 may work part time or perform light work with parental permission. The law limits the types of work children may or may not engage in. For instance, a child may not work with dangerous machinery or chemicals. A child may also not work alone or be responsible for handling cash transactions. The law considers illegal employment of a child in the labor market a civil rather than a criminal violation. According to the law, forcing a child to work may be treated as coercion, deprivation of liberty, or child abuse, and it carries a wide range of penalties, including fines and imprisonment. The government effectively implemented these laws and regulations. Criminal penalties were commensurate with those for other serious crimes, such as kidnapping.

According to the most recent government statistics from the Crime Prevention Council, 274 cases of suspected human trafficking were reported to police in 2019. For children, there were 12 cases of child sex trafficking, seven cases of child forced labor, 11 cases of child forced begging, one case of forced child war service, and 45 cases of other forms of child trafficking.

Boys were mainly subjected to forced begging and forced petty theft. Girls were mainly subjected to sexual exploitation, forced begging, and child marriage. Police and social services reportedly acted promptly when cases were reported.

## SWEDEN

### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination in respect of employment and occupation. The government effectively enforced applicable law, and penalties were commensurate with similar crimes. The law requires equal pay for equal work. The government effectively enforced the law prohibiting gender discrimination by investigating and prosecuting complaints. The equality ombudsman investigated complaints of gender discrimination in the labor market. In 2019 the ombudsman received 833 complaints of discrimination in the labor market, of which 185 were related to gender and 136 to disabilities. Of the complaints of ethnic discrimination, 246 involved the labor market. Complaints may also be filed with the courts or with the employer. Labor unions generally mediated in cases filed with the employer.

### **e. Acceptable Conditions of Work**

There is no national minimum wage law. Annual collective bargaining agreements set wages within industries, which were greater than the poverty income level. By regulation both foreign and domestic employers must offer conditions of employment on par with the country's collective agreements. Nonunion establishments generally observed these contracts as well.

The labor law and collective bargaining agreements regulate overtime and rest periods. The law allows a maximum of 200 hours of overtime annually. Collective agreements determined compensation for overtime, which could take the form of money or time off. The law requires a minimum period of 36 consecutive hours of rest, preferably on weekends, over a seven-day period.

Occupational safety and health (OSH) standards were appropriate. The responsibility for identifying unsafe situations remains with OSH experts and not the worker. The Swedish Work Environment Authority, a government agency, effectively enforced these standards. In 2019 the authority conducted 27,715 inspections. The number of inspectors was sufficient to enforce the law. The Swedish Work Environment Authority reported 36 industrial accidents that caused death of workers in 2019, the third lowest number in the last 20 years. In 2019 the authority took part in a cross-agency task force that made 1,833 visits to check on

## SWEDEN

work permits, taxes, and working environment regulations. In 2018 the number of inspectors increased to 274.

The Swedish Work Environment Authority issued occupational health and safety regulations and trained union stewards and safety ombudsmen whom government inspectors monitored. If an employee finds that the work involves immediate and serious danger to life or health, the employee must immediately notify the employer or safety ombudsman. Workers have the right to remove themselves from unsafe conditions without jeopardy to their employment. Safety ombudsmen have authority to stop unsafe activity immediately and to call in an inspector. The authority effectively enforced these rules. An employer may be fined for violating work environment regulations. Penalties were sufficient to deter violations.

Foreign seasonal workers, including berry pickers from Asia and Bulgaria, have faced poor living and working conditions. The guidelines of the Swedish Retail and Food Federation cover EU citizens who pick berries in the country but not workers from outside the EU. Under the guidelines, berry pickers are to be informed that they have the right to sell their berries to all buyers and that nobody has the right to control their work hours. A foreign company providing berry pickers to a local company must also demonstrate how it expects to pay workers in case of limited work or a bad harvest. The guidelines task food and retail organizations and brokers with ensuring their implementation. While the situation improved in previous years as the result of cooperation between unions and employers, during the COVID-19 pandemic, some problems returned. An exploitation complaint was filed on behalf of 100 Bulgarian berry pickers in Vidsel (578 miles north of Stockholm) in July. In September a group of berry pickers from an EU member state filed two complaints to police in Berg municipality (308 miles northeast of Stockholm) over exploitation for not being paid and trafficking.