

UN Human Rights Council
UPR of Sweden 2010
consideration of draft report, September 2010

opening statement by state under review, Sweden

Mr President,

We are gathered today to allow this Council to consider the draft report of the Universal Periodic Review conducted of Sweden in May.

This is an event of great significance to my government's human rights work. It brings to a conclusion the first step of our engagement with a process which has proved highly valuable in our own work, and which has provided an encouraging example of what this Council should be able to do in forwarding the respect for human rights across the world.

Promoting and respecting universal human rights is a core value and a central priority for my Government. It is also a cornerstone of our foreign policy. We have therefore greatly welcomed the opportunity of this UPR to engage in our human rights work with interested parties. Dialogue as well as regular and constructive scrutiny contribute to furthering the values which our society is based on. Ensuring respect for our international human rights obligations is a continuous process.

Mr President,

My government has learnt a great deal in the process of preparing, undergoing and thus far following up on our review. In preparing for the review, we consulted civil society organisations, including organisations representing indigenous peoples and national minorities, at an early stage. Several meetings were held with stakeholders. Our draft national report was posted on the Government's human rights website, to allow the broadest possible transparency. Since the review in May, we have already held a first follow-up meeting with civil society, and will continue to consult stakeholders in the continued follow-up to the review.

Throughout the process, a wide range of issues have been brought to our attention, increasing our own understanding of the human rights situation in

Sweden and of our human rights work at large. We received a large number of recommendations, of which we have accepted the large majority.

Some of the issues raised in the Review in May were such that we wanted further time to allow more careful consideration after the review. These were issues that we chose to postpone our response to until after the review, and which we addressed in our addendum. Please allow me to mention some of them.

Mr President,

Several states encouraged us to established a national human rights institution.

The Delegation for Human Rights in Sweden is currently examining the issue of the establishment of an independent national human rights institution with a broader mandate in accordance with the Paris Principles. The findings will be presented to the Government by 30 September 2010. Pending the result of the inquiry, the Government will take no position on the matter at hand.

Several states made recommendation relating to racism and the treatment of immigrants and members of minority groups.

Let me underline that my government wants Sweden to be an open and inclusive society, a country where people with roots in various parts of the world and of different religions can live side by side. Crimes of a racist, xenophobic or homophobic nature run contrary to our fundamental values. Since the mid 1990-s Sweden has taken a number of steps to counter worrying indications of an increase in hate crime. We will continue to counter such crimes.

One recommendation was to ban racist organisations, a recommendation we do not accept. There is a constitutional ban in Sweden on censorship. It is not permitted for a public authority to scrutinise, prior to dissemination, a text or other message intended for dissemination. At the same time, Sweden has comprehensive legislation in place to address racism. The Penal Code contains two provisions directly concerning contempt or discrimination on the ground of race, colour or national or ethnic origin; namely those relating to *agitation against a national or ethnic group* and *unlawful discrimination*. The Act on Responsibility for Electronic Bulletin Boards also counteracts agitation against a national or ethnic group and could be applied to racist propaganda. The Penal Code provides for aggravated sentencing when the motive for an offence is xenophobic, or otherwise motivated by hatred. Thus, while an organisation as such may not be illegal, specific statements of a racist character can be punishable.

Let me also recall that Sweden accepts the recommendation to pay more attention to the issues of Islamophobia, hatred towards Muslims and incitement to hatred against Muslims, while underlining that the Government is already paying continuous attention to these issues.

Mr President,

Sweden was recommended to provide health care to persons residing in Sweden without a permit on the same basis as to persons domiciled in Sweden.

Asylum seekers under the age of 18 and children who have gone into hiding are entitled to health and medical care on the same conditions as all other children domiciled in Sweden. Nobody can be denied emergency care on the grounds of inability to pay. A government inquiry is currently examining the issue of subsidised health care for persons staying in Sweden without having applied for the necessary permits, and how health care can be expanded in relation to current legislation. The inquiry is to pay particular attention to the needs of children, and is to present its final report by 31 May 2011. Thus, the issue raised by this recommendation is under review.

A number of recommendations were related to the Sámi indigenous people. A central tenet of my government's Sámi policy is that Sámi persons must of course enjoy the same respect for human rights as all other persons in Sweden. Parliament has recognised the Sámi as Sweden's only indigenous people, and the Government proposed to Parliament in December 2009 that the Sweden's Constitution be amended to give explicit recognition to the Sámi. Replies to individual issues are provided in the addendum.

Mr President,

Before we embark on the Council's consideration today of the draft report of the first Universal Periodic Review of Sweden, let me assure you that my government very much sees the UPR as part of our national endeavours to ensure systematic human rights work. The recommendations we have received will be an important reference point in our continued work.

I now look forward to the Council's consideration.

Thank you.