

# Statement by Church of Sweden, Sami Council of CoS and Christian Council of Sweden

**UPR Pre-session**

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**United Nations Human Rights Council, January 2020**



Church of Sweden 

# Joint submission

- **Church of Sweden (CoS)**, Evangelical Lutheran Church with six million members. CoS works with i.a. Human Rights, national minorities and indigenous people, contacts with civil society, policy issues and sustainability.
- **Christian Council of Sweden**, a platform of 29 Christian churches working together in faith and action in different areas on Christian values and human rights, especially in order to give voice to the voiceless.
- **Sami council of Church of Sweden**, works since 1996 with the Sami relations towards the Church and Society, and with equal rights issues from an ecumenical and international perspective.



# Priorities of our written submission

**1. Hate crimes, racism and harassment** due to ethnicity and religious reasons against individuals belonging to certain religious groups as well as the groups as such, in particular against Jews and Muslims;

**2. Christian Converts:** Swedish migration authorities have an extended praxis of considering converted asylum seekers as not genuinely Christian with the consequent denial of their asylum-claims.

**3. Right of the child to family life and access to family reunification** for children with a parent already with asylum in Sweden.

**4. Sami people's right to repatriation** of Sami human remains which are still under custody of the Swedish State, at museums and institutions.

# Christian converts asylum-seekers

## Current situation

- Migration authorities' recurrent refusal to considering **converted asylum seekers** as genuinely Christian and the denial of their asylum-claims, an ongoing problem in Sweden since at least 2012.
- The Swedish Government recently adjusted policy guidelines, ensuring legal quality and uniform application of the law in asylum cases based on religious conviction.
- Although positive steps taken by the Government in their adjusted policy guidelines, stronger measures still must be taken to effectively uphold the right of the individual to change religion and the principle of non-refoulement.

# Christian converts asylum-seekers

## Suggested recommendations

- **Increase the expertise of asylum officials on the application of migration legislation, so proper relevance can be given to written proof in the migration process, e.g. statements from churches.**
- **Upholding the principle of non-refoulement, taking measures to effectively protect asylum seekers' right to leave their present religion, or to change their religion for another one without risking persecution in their home country.**

# Sami people's right to repatriation of their human remains

## Definition; historical causes and current situation

- **Repatriation:** consists in a process of returning remains of humans or objects to places or areas from where they originated, according to the Swedish Sami parliament.
- The United Nations Declaration on the Rights of Indigenous Peoples (**UN DRIPS**), supported by Sweden, recognises the right of indigenous peoples to repatriation of their human remains, article 12.
- An important number of Sami human remains still kept by 11 State museums and three universities (Lund, Karolinska institutet and Uppsala). Considered as state property.
- During 19<sup>th</sup> Century until 1930s, Sami people remains were collected through exhumations, purchased, often obtained through illegal grave plundering. Sami remains and craniums had a commercial value.
- Commercial interest on Sami people craniums was built upon a racial ideology predominating in Sweden until the late 1930s, according to which the Sami were labelled and treated as an inferior race, legitimising widespread discrimination, marginalisation, social and cultural oppression against them.
- Since 2007, unsuccessfully requests of Sami Parliament to Sweden to identify and make an inventory of Sami human remains, aiming at their repatriation and reburial in accordance with Sami spirituality and traditions. Only repatriated to the Sami in a few cases, as in Lycksele, in August 2019.

# Sami people's right to repatriation of human remains

Earlier recommendations; need of a standard procedure and financing

- The non repatriation of their ancestors' human remains is still an open wound for the Sami.
- Swedish archbishop Antje Jackelén: "it is both unworthy and inhuman that Sami human remains are still kept at museums".
- **17 recommendations in last UPR-cycles on Sami people's rights, from Norway, Netherlands, Austria, Russian Federation, Albania, Greece, Lebanon, Canada, and South Africa, etc.**
- No recommendation has been made in particular about repatriation of human remains.
- Urgent need of **instituting a standard procedure with an applicable legal framework as well as budgetary allocation** for repatriation of Sami human remains and their cultural objects, included proper reconciliation and reburial ceremonies.
- The Swedish State must assume a leading role and responsibility in this repatriation process at a national level, offering an official explanation and recognition to the Sami about this unworthy practice.

# Suggested recommendations for Sami people's right to repatriation

- Guarantee prompt repatriation of all Sami human remains held by the Swedish State to the Sami People and their reburial according to Sami spirituality and traditions by, inter alia, enact, harmonise and enforce relevant domestic law, ensuring the Sami's meaningful participation in this process, in accordance with article 12 of UN Declaration on the rights of Indigenous Peoples.
- Provide effective reparations to the Sami people, including satisfaction and guarantees of non-recurrence for the seizure of Sami human remains through the celebration of reconciliation ceremonies for their repatriation and reburial, in accordance to relevant Sami spirituality and traditions.



# Thank you for your attention!

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