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U.S. Department of State

Sweden Country Report on Human Rights Practices for 1996

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1997.

SWEDEN

Sweden is a constitutional monarchy and a multiparty parliamentary democracy. The King is Chief of State. The Cabinet, headed by the Prime Minister, exercises executive authority. The judiciary is independent of the Government.

The Government effectively controls the police, all security organizations, and the armed forces.

Sweden has an advanced industrial economy, mainly market-based, and a high standard of living, with extensive social welfare services. More than 90 percent of businesses are privately owned.

Human rights are deeply respected and widely protected. Swedes are entirely free to express their political preferences, pursue individual interests, and seek legal resolution of disputes. The Parliament, police, or an ombudsman investigate thoroughly all allegations of human rights violations, including the occasional allegation of police misconduct. Sweden's ombudsmen, appointed by the Parliament but with full autonomy, have the power to investigate any private complaints of alleged abuses by authorities and to prescribe corrective action if required. Sweden has one of the world's most equal distributions of income, but wage levels for women still lag behind those for men. There are occasional incidents of violence against minorities. The Government, political parties, and youth organizations have active programs to promote tolerance and combat racism. The Government has established programs to deal with violence against women.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:**a. Political and Other Extrajudicial Killing**

There were no reports of political or other extrajudicial killings.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits these abuses, and the authorities respect such prohibitions. There are occasional reports of the use of excessive force by police in arrests, but thorough investigations have not produced evidence of a systematic problem. Typically, police officers found guilty of abuse have been suspended or otherwise disciplined. Such disciplinary actions numbered less than a dozen nationwide and usually involved officers-in-training found unfit for permanent duty.

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

Arrests are public and by warrant. The police must lodge charges within 6 hours against persons detained for disturbing the public order or considered dangerous, and within 12 hours against those detained on other grounds. The law requires arraignment within 48 hours. The time between arrest and the first court hearing may be extended to 96 hours for detainees considered dangerous, likely to destroy evidence, or likely to flee, but this occurs very rarely. Other than such dangerous suspects, detainees are routinely released pending trial. Bail as such does not exist. If a person files for bankruptcy and refuses to cooperate with the official investigation, a court may order detention for up to 3 months, with judicial review every 2 weeks.

The Government does not impose exile.

Convicted foreign criminals who are not permanent residents often are deported at the conclusion of their prison terms, unless they risk execution or other severe punishment in their home country.

e. Denial of Fair Public Trial

The Constitution forbids deprivation of liberty without a public trial by a court of law, and the Government respects this provision. The judiciary is free of governmental interference. The accused have the right to competent counsel, but the Government provides public defenders to indigents only in cases where the maximum penalty could be a prison sentence of 6 months or more. Convicted persons have the right of appeal in most instances.

There were no reports of political prisoners.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The law limits home searches to investigations of crimes punishable by at least 2 years' imprisonment,

such as murder, robbery, rape, arson, sabotage, counterfeiting, or treason. The authorities respect this provision. Normally, police must obtain court approval for a search or a wiretap. However, a senior police official may approve a search if time is a critical factor or the case involves a threat to life. A parliamentary committee each year reviews all monitoring of telephones, facsimile (fax), or computers.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press, and the Government respects these provisions in practice. Most newspapers and periodicals are privately owned. The Government subsidizes daily newspapers, regardless of political affiliation. Broadcasters operate under a state concession. Until a few years ago the State had a monopoly over ground-based broadcasting, but a variety of commercial television channels (one ground-based, and several via satellite or cable) and several commercial radio stations now exist.

The Government may censor publications containing national security information. A quasi-governmental body excises extremely graphic violence from films, television programs, and videos.

Criticism of child pornography was widespread, and the debate over its legality continued in 1996. Sweden hosted the United Nations (U.N.) Conference on the Sexual Exploitation of Children. The Queen has emerged as a strong and popular advocate of children's rights and opponent of child pornography.

Academic freedom is respected.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of peaceful assembly and association, and the Government respects these rights in practice. Police require a permit for public demonstrations. However, the authorities routinely grant such permits, with rare exceptions to prevent clashes between antagonistic groups.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government does not hamper the teaching or practice of any faith.

Sweden has maintained a state (Lutheran) church for several hundred years, supported by a general "Church Tax" (although the Government routinely grants any request by a taxpayer for exemption from that tax). After decades of discussion, however, in 1995 the Church of Sweden and the Government agreed to a formal separation. This reform will not become effective until the year 2000, and the Church will still receive some state support. Beginning in 1996 citizens are no longer automatically members of the state church at birth. Sweden is tolerant of the diverse religions practiced there, including the Mormon faith and Scientology.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for free movement within, from, and returning to the country, and the Government respects these rights in practice. Foreigners with suspected links to terrorist organizations may be

required to report regularly to police authorities, but may travel freely within Sweden. Courts must review the reporting requirement for each case at least once every 3 years.

The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides first asylum. Sweden has adopted an increasingly restrictive asylum policy. The Government has sent some asylum seekers back to "safe" countries through which they arrived in Sweden. The number of asylum applications dropped to a 10-year low of 10,000 in 1995, and 2,715 in the first half of 1996. There is an ongoing debate over the plight of asylum seekers who have submitted applications that are considered "manifestly unfounded," those coming to Sweden through a "safe third country," and those whose applications remain under consideration for unduly long periods of time, in some cases as long as 9 years. There have also been complaints of exceedingly accelerated procedures and inadequate legal safeguards for some asylum seekers, e.g., asylum seekers who were deported within 72 hours of arrival and did not receive access to lawyers. A broad interpretation of what constitutes a "safe third country" permits the return of applicants to a third country without consideration of whether that country has an asylum policy under which the applicant might be admitted. Asylum seekers are occasionally detained upon arrival in Sweden and, when awaiting deportation after a negative decision on their claim, in cases where the authorities fear flight to avoid deportation. Detention facilities are clean, comfortable, and relatively unrestricted. On occasion, when no other facility is available, asylum seekers are detained in remand prisons.

Approximately 60,000 refugees from Bosnia and Herzegovina are living in Sweden. The Government provides funds for Bosnians to travel to their homeland in order to determine if they wish to be repatriated. The long-term status of those choosing not to return is uncertain. Sweden has accepted over 100,000 refugees from the former Yugoslavia.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides ways and means for citizens to change the Government. Elections to the 349-member unicameral Parliament are held every 4 years. Suffrage is universal for citizens 18 years and older, with secret balloting. Noncitizen residents have the right to participate in local (city and county) elections.

Women participate actively in the political process and Government. They currently compose 41 percent of the Parliament and half of the Cabinet. The governing Social Democratic Party largely has held to its pledge to place women in half of all political appointments at all levels.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several private organizations actively monitor issues such as the impact of social legislation, anti-immigrant or racist activities, and the condition of the indigenous Sami population. The official ombudsmen also publicize abuses of state authority and have the right to initiate actions to rectify such abuses. Government agencies are in close contact with a variety of local and international groups working in Sweden and abroad to improve human rights observance.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal rights for all citizens, and the Government respects this provision.

Women

Nearly 18,600 cases of assault against women took place in 1994 (the last year for which statistics are available), an increase of 600 over 1993. Most involved spousal abuse. In three-quarters of the assaults, the perpetrator was an acquaintance of the victim. Reported abuse against women occurs disproportionately in immigrant communities.

The law provides complainants protection from contact with their abusers, if so desired. In some cases the authorities help women obtain new identities and homes. Since 1994 the Government has provided electronic alarms or bodyguards for women in extreme danger of assault. Both national and local governments provide monetary support to volunteer groups that provide shelter and other assistance to abused women. The authorities strive to apprehend and prosecute abusers. Typically, the sentence for abuse is a prison term or psychiatric treatment.

The number of rapes rose sharply in 1993 (later figures are not available), from approximately 1,400 to over 2,100. In 1994 the number dropped somewhat to 1,800. Women's groups believe the increase in recent years is partly an effect of increased willingness to report rape (including spousal or "date" rape), but cannot rule out the possibility of a real increase resulting from worsened economic and social conditions. The law does not differentiate between spousal and nonspousal rape.

A study conducted by the U.N. Development Program (UNDP) in preparation for the U.N. Conference on Women gave Sweden the highest ranking on equality for women. The law requires employers to treat men and women alike in hiring, promotion, and pay, including equal pay for comparable work. The Equality Ombudsman, a public official, investigates complaints of gender discrimination in the labor market. Women may also pursue complaints through the courts. A third option, and by far the most common, involves settling allegations using the employee's labor union as mediator. Virtually all gains in the status of women have occurred through such negotiations, with relatively little resort to legislation or legal decisions.

Despite the available remedies, surveys show that women remain underrepresented in higher paying jobs, with salaries averaging only 72 percent of men's, a decrease from a high of 80 percent a decade ago. This decrease largely reflects recent substantial cuts in social sector jobs, where women comprise the vast majority of the work force. In addition, tight economic conditions in recent years have made unions less willing to pursue claims of pay discrimination. Women submit hundreds of complaints to the Equality Ombudsman each year, but almost all of these complaints are either resolved or dropped before the Ombudsman takes action.

As a result, women increasingly have begun to turn to the courts in cases of individual discrimination. Women initiated several test cases of the "equal pay for comparable work" clause in 1995, with at least one court decision in their favor in 1996. This court case is widely expected to be precedent setting.

The law prohibits sexual harassment. As with other forms of discrimination, women may take complaints to the Equality Ombudsman, the courts, or to their unions.

Children

The Government allocates funds to private organizations concerned with children's rights and also supports a special ombudsman for children. The ombudsman has focused her work on ensuring adherence to the U.N. Convention on the Rights of the Child, which Sweden was among the first countries in the world to ratify.

Although child abuse appears relatively uncommon, the public and authorities remain concerned by consistent data indicating an increase over the past several years. The number of reported cases, for children under the age of 15, rose significantly in 1994, to 4,400 from 3,300 in 1993. Many children's rights advocates believe this change reflects a true increase (as opposed to increased incidence of reporting) due to the strains imposed on families by the difficult economic situation.

The law prohibits parents or other caretakers from abusing children mentally or physically in any way. Parents, teachers, and other adults are subject to prosecution if they physically punish a child, including slapping or spanking. Children have the right to report such abuses to the police. The authorities respect these laws, and the usual sentence is a fine combined with counseling and monitoring by social workers. If the situation warrants, however, authorities may remove children from the home and place them in foster care. However, foster parents virtually never receive permission to adopt long-term foster children, even in cases where the parents are seen as unfit or seek no contact with the child. Critics charge that this policy places the rights of biological parents over the needs of children for security in permanent family situations.

People with Disabilities

The law prohibits discrimination against people with disabilities. The Government provides disabled persons with assistance aimed at allowing them to live as normal a life as possible, preferably outside an institutional setting. This includes educational aid, such as provision of personal tutors or assistants at all stages from day care to university studies, as well as assistance in the workplace, such as provision of a personal aide or improvement of the workplace's accessibility to wheelchairs. It also encompasses services such as home care or group living. Regulations for new buildings require full accessibility, but the Government has no such requirement for existing public buildings. As a result, many buildings remain inaccessible to disabled persons.

Indigenous People

Sweden counts at least 17,000 Sami (Lapps) among its 8.6 million inhabitants (Sami organizations place that number somewhat higher, 25,000 to 30,000). In 1994 Sweden was the last of the Nordic countries to allow formation of a Sametinget, or Sami Parliament, as an advisory body to the Government. Under the current Government, Sami issues fall under the Ministry of Agriculture.

The Sami continue a protracted struggle for recognition as an indigenous people under a variety of international agreements, such as International Labor Organization (ILO) Convention 169. Historically, the Government has resisted granting the Sami such rights. For instance, Sami children had no right to education in their native language until provision of such education to immigrant children forced the Government to grant Sami at least equal treatment. As a result of such education, northern Sami dialects have enjoyed a recent renaissance. Sami dialects in the southern portions of traditional Sami lands, however, now may have too few native speakers to survive as living languages.

Late in 1994 the Government removed from the Sami the right to control hunting and fishing activities on Sami village lands, permitting instead totally unlimited hunting and fishing activity on all government property. Sami leaders continued to protest this change in 1996.

Although some Sami state that they face discrimination in housing and employment on an individual basis, particularly in the southern mountain regions, the Government does not condone such discrimination.

Religious Minorities

Graffiti was painted on some synagogues in 1996. The Government supports activities by volunteer groups working against anti-Semitism.

National/Racial/Ethnic Minorities

Scattered acts of violence or harassment against minorities continue, usually from "skinhead" groups with neo-Nazi ties. Although the Government does not compile national statistics on such acts, one newspaper counted over 100 violent incidents with racist overtones (most involving neo-Nazis) in a recent year. Most violent incidents involved assault on lone immigrants by teenage skinheads.

Most estimates place the number of active neo-Nazis at less than 2,000, and there appears to be little popular support for their activities or sentiments. Many Swedes doubt whether such youth actually embrace neo-Nazi ideology, and the Government supports activities by volunteer groups working against racism. The Government investigates and prosecutes race-related crimes, although in many clashes between Swedish and immigrant youth gangs, authorities judge both sides as at fault. In one 1996 case, an African man was murdered by a teenage Swede who was sentenced to 4 years' imprisonment despite his juvenile status. In a case involving a 17-year old sentenced to 100 days community service for wearing neo-Nazi badges, the Supreme Court ruled that it can be illegal to wear xenophobic symbols or racist paraphernalia.

Section 6 Worker Rights

a. The Right of Association

The work force is 87 percent unionized. Career military personnel, police officers, and civilian government officials, as well as private sector workers in both manufacturing and service industries, are organized. Most business owners belong to counterpart employer organizations.

Unions and employer organizations operate independently of the Government and political parties (although the largest federation of unions has always been linked with the largest political party, the Social Democrats). The law protects the freedom of workers to associate and to strike, as well as for employers to organize and to conduct lockouts. Within limits protecting the public's immediate health and security, public employees also enjoy the right to strike. These laws are fully respected and are not challenged.

Unions have the right to affiliate with international bodies. They are affiliated with the International Confederation of Free Trade Unions and European Trade Union Confederation among others.

b. The Right to Organize and Bargain Collectively

Labor and management, each represented by a national organization by sector (for example, retailers and engineering industries), negotiate framework agreements every 2 to 3 years. More detailed company-level agreements put such framework agreements into effect at the local level.

Framework agreements entered into force in 1996, with most valid until 1998. The few conflicts that took place included a January strike by public sector nurses for significantly higher wages and a 6-day strike by journalists.

The law provides both workers and employers with effective mechanisms for resolving complaints. The vast majority of complaints are resolved informally. If informal discussions fail, the issue goes to a labor court, whose ruling sets a precedent to be followed by employers and unions. Cases of an employer firing an employee for union activities are virtually unheard of; no cases occurred in 1996. Very few wildcat strikes took place in 1996, and only at a very small, local level and with quick resolution.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, and the authorities effectively enforce this ban.

d. Minimum Age of Employment of Children

Compulsory 9-year education ends at age 16, and the law permits full-time employment at that age under supervision of local authorities. Employees under age 18 may work only during daytime and under supervision. During summer and other vacation periods, children as young as 13 years may work part-time or in "light" work with parental permission. Union representatives, police, and public prosecutors effectively enforce this restriction.

e. Acceptable Conditions of Work

There is no national minimum wage law. Wages are set by collective bargaining contracts, which nonunion establishments usually observe as well. Even the lowest paid workers can maintain a decent standard of living for themselves and their families through substantial benefits (such as housing or day care support) provided by social welfare entitlement programs. However, cutbacks in these programs have made it harder for some workers to make ends meet, particularly for low-paid single women with children.

The standard workweek is 40 hours or less. Both the law and collective bargaining agreements regulate overtime and rest periods. For workers not covered by a labor agreement, the law stipulates a limit for overtime at 200 hours a year, although exceptions may be granted for key employees with union approval; some collective bargaining agreements put the limit at 150 hours. The law requires a rest period after 5 hours of work but does not stipulate a minimum duration; in practice it is usually 30 minutes. The law also provides all employees with a minimum of 5 weeks of paid annual leave; labor contracts often provide more, particularly for higher ranking private sector employees and older public service workers.

Occupational health and safety rules are set by a government-appointed board and monitored by trained union stewards, safety ombudsmen, and, occasionally, government inspectors. These standards are very high, making workplaces both safe and healthy. Safety ombudsmen have the authority to stop unsafe activity immediately and to call in an inspector. An individual also has the right to halt work in dangerous situations in order to consult a supervisor or safety representative.

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