

Frans National contribution to the Fundamental Rights Report 2024

Sweden

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1. Impact of the cost-of-living crisis and rising poverty in the EU

1.1. Legal measures impacting on vulnerabilities of persons affected by the rising costs of living and energy

The following are examples of legal measures for the period at the turn of the year 2022/2023¹ and from 1 July 2023² which have had an impact on the vulnerabilities of persons affected by the rising costs of living and energy.

Economic state grant and support – general and targeted

The temporary supplementary allowance for families with children within the housing allowance was extended and increased

On 8 August 2023, the Government proposed to extend the temporary supplementary allowance for families with children within the housing allowance until 30 June 2024.³ The supplementary allowance was increased from 25 percent of the preliminary housing allowance for the same month to 40 percent. The additional grant counts as extraordinary support. The grant was extended and increased against the background of the worsening financial situation that families with children on low incomes have due to continued increases in the cost of living. It is paid to families with children who are entitled to housing allowance in the form of a special allowance or social allowance.

The temporary relief in unemployment insurance has been extended, and the temporarily increased compensation levels in unemployment insurance and activity support are to apply until further notice

During the Covid-19 pandemic, the government introduced temporary relief in unemployment insurance, which was extended in 2023. The relief means, among other

¹ Sweden, Government Office (*Regeringskansliet*) (2022), Important laws and regulations for the turn of the year 2022/2023 ([Viktigare lagar och förordningar inför årsskiftet 2022/2023](#)), official webpage, 30 December 2022.

² Sweden, Government Office (*Regeringskansliet*) (2023) Important laws and regulations for the turn of the year 2022/2023 ([Viktigare lagar och förordningar inför årsskiftet 2022/2023](#)), official webpage, 29 June 2023.

³ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2023) Extension of the temporary supplementary housing allowance for families with children due to the high cost of living ([Förlängning av det tillfälliga tilläggsbidraget till barnfamiljer inom bostadsbidraget med anledning av höga levnadsomkostnader](#)), 28 August 2023.

things, that fewer worked hours are required to fulfill the condition of employment than before and that individuals can already receive unemployment benefits after two qualifying days instead of six qualifying days as before. The relief also means that the restriction on employers' ability to receive unemployment compensation in the event of repeated interruptions to their business activities, the so-called five-year rule, is not applied.

Compensation levels in unemployment insurance and activity support were also temporarily increased.⁴ The maximum amount of basic insurance has been increased to SEK 510 per day. A corresponding increase has been made for those who have the lowest amount in income-related insurance. The ceiling for the income-related allowance has been raised to SEK 1,200 per day for the first 100 days and to SEK 1,000 per day thereafter. Minimum levels have also been introduced for the daily allowance corresponding to SEK 255 per day. The increased compensation also includes the activity support provided to people who meet the conditions for the right to unemployment compensation. For this group, however, the minimum compensation is SEK 510 per day. The temporarily increased amounts are to apply until further notice.⁵

Housing

Measures for safer residential areas: tenants' responsibility for the supervision of children strengthened for children who commit crimes

On 4 October 2023, the results of the government's investigative report, 'Measures for safer residential areas' (*Åtgärder för tryggare bostadsområden SOU 2023: 57*), were presented.⁶ The report covered the initial committee directive, 'Eviction of tenants who commit crime' (*Uppsägning av hyresgäster som begått brott Dir. 2022: 105*⁷) issued on 7 July 2022 and the additional committee directive issued on 2 March 2023.⁸

The purpose of the investigation was to review the tenancy law regulations regarding the termination of leasehold agreements in cases where the tenant, or someone for whom s/he is responsible, has committed a crime in the apartment or in the surrounding area, and in cases where the apartment is used for criminal activities. The assignment has also included reviewing the need for measures to more effectively counter abuse of the rules on letting to residents. To the extent that there is deemed to be a need and a

⁴ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2023) Extension of the temporary supplementary housing allowance for families with children due to the high cost of living ([Förlängning av det tillfälliga tilläggsbidraget till barnfamiljer inom bostadsbidraget med anledning av höga levnadsomkostnader](#)), 28 August 2023.

⁵ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2023) Spring budget for 2023 ([Vårändringsbudget för 2023](#)), 13 April 2023.

⁶ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Measures for safer residential areas ([Åtgärder för tryggare bostadsområden](#)), SOU 2023:57, 4 October 2023.

⁷ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023), Eviction of tenants who commit crime ([Uppsägning av hyresgäster som begått brott](#)), Dir. 2022:105, committee directive, 7 July 2022.

⁸ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Additional directive to the inquiry on safer residential areas ([Tilläggsdirektiv till Utredningen om tryggare bostadsområden](#)), Dir. 2023:33, committee directive, 2 March 2023.

time, the inquiry has also been able to consider and propose other constitutional amendments to tenancy law.

Migration and asylum

The orderly initial reception of asylum-seekers

On 22 June 2023, the government decided to pass an additional directive⁹ to the committee directive on the orderly initial reception of asylum-seekers.¹⁰ In March 2022, the government had also decided on additional directives through which the assignment was partially changed (dir. 2022: 16). Among other tasks, an obligation for asylum-seekers to live in specific accommodation and be required to stay within a particular geographical area was to be investigated. Proposals on the design of such an arrangement are to be put forward. The assignment will also analyze what effects it could have on the return if adult asylum-seekers without children were covered by the reception system until they leave the country. The investigation period was extended so that the assignment must now be reported on by 31 May 2024 at the latest.

Measures to strengthen return operations

On 30 August 2023, the Government decided to expand the committee directive on measures to strengthen return operations (dir. 2022: 91).¹¹ According to the directives, the investigator is to review parts of the regulatory framework linked to return and propose measures with the aim of strengthening return operations for those asylum-seekers who have an enforceable decision on rejection or deportation. The investigator is asked to draft proposals for expanding the exchange of information between authorities with the aim of strengthening work on enforcement and making it more difficult to live in the country without a permit. The investigator must also carry out a review of the regulations on internal alien controls with the aim of improving the authorities' ability to detect and counter illegal stays in Sweden and to strengthen work on return. In addition, the investigator will look at lowering of the lower age limit for taking fingerprints, analyze the need for and benefit of using DNA tests in matters of residence permits and in internal alien controls, and take a position on how such an arrangement can be designed. Also, the authorities should take a decision on whether the limitation period for removal decisions should be extended or abolished and whether re-entry bans should be capable of being imposed for a longer period than today and submit the necessary constitutional proposals. The assignment must be fully reported no later than September 30, 2024.

⁹ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Additional directive to the inquiry on initial reception of asylum seekers ([Tilläggsdirektiv till Utredningen om ett ordnat initialt mottagande av asylsökande](#)), Ju 2021:12, committee directive, 22 June 2023.

¹⁰ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) An orderly initial reception of asylum seekers ([Ett ordnat initialt mottagande av asylsökande](#)), committee directive, 16 September 2021.

¹¹ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Additional directive to the inquiry on strengthened return operations ([Tilläggsdirektiv till Utredningen om stärkt återvändandeverksamhet](#)), Ju 2022:12, committee directive, 31 August 2023.

Councils to let Ukrainian refugees (TPDs) enroll in classes in Swedish for immigrants

The government has amended the law that makes it possible for a municipality to allow a person who has been granted a residence permit with or following temporary protection according to the Temporary Protection Directive (TPD) to participate in municipal adult education in Swedish for immigrants (SFI).¹² A further prerequisite is that the applicant lacks such basic knowledge of the Swedish language as the educational provision aims to provide. The training may be offered from and including the second half of the calendar year in which the person turns 18. The Temporary Protection Directive (TPD) applies to persons displaced from Ukraine because of the Russian military invasion on or after 24 February 2022.¹³ In total 100 million SEK has been set aside for this purpose.¹⁴

Increased subsistence requirement for those applying for a work permit in Sweden

On 1 November 2023, the subsistence requirement for everyone from a country outside the EU/EEA who applies for a work permit in Sweden was increased from SEK 13,000 to SEK 27,360¹⁵ ¹⁶ (prop. 2021/22: 284). The new requirement level of SEK 27,360 is the equivalent of 80 percent of the current median salary in Sweden. The median salary for 2023 is SEK 34,200.¹⁷ According to the government, the purpose of a higher subsistence requirement is to strengthen the position of labor immigrants on the labor market and to counter competition with low salaries.

¹² Sweden, Ministry of Employment and Ministry of Education and Research (Arbetsmarknadsdepartementet och Utbildningsdepartementet) (2023) People from Ukraine can get access to more education in the Swedish language ([Personer från Ukraina kan få tillgång till mer utbildning i svenska språket](#)), press release, 27 July 2023.

¹⁴ Sweden, Ministry of Employment and Ministry of Education and Research (Arbetsmarknadsdepartementet och Utbildningsdepartementet) (2023) The Government proposes SEK 100 million for SFI for Ukrainian citizens ([Regeringen föreslår 100 miljoner kronor för sfi för ukrainska medborgare](#)), press release, 28 March 2023.

¹⁵ Sweden, Ministry of Justice (Justitiedepartementet) (2023) Subsistence requirement for labor immigrants to be raised ([Försörjningskravet för arbetskraftsinvandrare höjs](#)), press release, 29 September 2023.

¹⁶ Sweden, Migration Agency (Migrationsverket) (2023) The new subsistence requirement for work permits is now coming into force ([Nu börjar nya försörjningskravet för arbetstillstånd att gälla](#)), press release, 1 November 2023.

¹⁷ Sweden, Statistics Sweden (SCB) (2023) Median wages in Sweden ([Medianlöner i Sverige](#)), official webpage, updated 21 September 2023.

1.2. Policy measures impacting on vulnerabilities of persons affected by the rising costs of living and energy

Economic state grant and support – general and targeted

General support for increased energy costs

In 22 December 2022 the government decided to give retroactive support to all households due to the increased electricity costs. The support was paid out in spring 2023 by the Swedish Social Insurance Agency (*Försäkringskassan*).¹⁸ The support is based on electricity consumption during the period November–December 2022 and paid to the name written on the electricity contract on 17 November 2022. The Swedish Social Insurance Agency estimates the total cost to be 10 billion SEK. According to the agency, most households have received the support through their bank account, but in cases where they do not have account details in their records, the contract holder receives a voucher instead.¹⁹

The examples below are from Sweden’s National Reform Programme for 2023,²⁰ which is mainly based on the measures and reform ambitions in the Budget Bill for 2023 and the Spring Fiscal Policy Bill, as well as the Spring Amending Budget Bill for 2023.

The initiatives and measures listed below corresponding to the section are described as initiatives the government has taken and intends to take in areas assessed by the Commission and the Council as falling within the European Semester in 2019–2022 as being the main economic challenges for the Swedish economy.

Sport and recreational activities card (Fritidskort) for children and young people

The government has announced that, to ensure children’s and young people’s access to sports and recreational activity groups, it is introducing a sport and recreational activities card, or *Fritidskort*. The card is intended to give children and young people from socio-economically disadvantaged households greater opportunities to participate in sport and recreational activities. Fifty million SEK was set aside to develop the necessary infrastructure in 2023 to enable the *Fritidskort* to be introduced in 2024. In

¹⁸ Sweden, Ministry of Climate and Enterprise and Ministry of Health and Social Affairs (*Klimat och näringslivsdepartementet och Socialdepartementet*) (2023) The Swedish Social Insurance Agency will begin paying support for increased energy costs to households throughout the country at the end of May ([Försäkringskassan påbörjar utbetalning av elstöd till hushåll i hela landet i slutet av maj](#)), press release, 4 May 2023.

¹⁹ Sweden, Swedish Social Insurance Agency (*Försäkringskassan*) (2023) General support for increased energy costs for individuals throughout the country ([Elstöd för privatpersoner i hela landet](#)), official webpage, published 22 May 2023.

²⁰ Sweden, Government Offices (*Regeringskansliet*) (2023) [Sweden’s National Reform Programme 2023](#), published 21 August 2023.

2024, it is estimated that 731 million SEK will be set aside to introduce the reform, and from 2025 it is estimated that 792 million SEK will be set aside annually for the same purpose.²¹

State grant for socially particularly vulnerable people who have been affected by Sweden's economic situation

This grant will support organizations that need to strengthen their operations due to the economic situation in Sweden. Organizations that are already working with people who are in socially particularly vulnerable situations can apply for the grant. The government has decided that the Swedish Agency for Youth and Civil Society (*Myndigheten för Ungdoms- och civilsamhällesfrågor, MUCF*) will distribute 48.5 million SEK in grants.²² The grants are to be used to strengthen the existing activities of applicant organizations and thus meet the increased need for help and support efforts for society's most vulnerable, who have been adversely affected by Sweden's economic situation. The grants are for basic needs and can, for example, cover giving someone who has no food for the day something to eat, helping socially particularly vulnerable individuals and families, or providing a place to sleep for someone who does not have a home.

Housing

More resources to Housing First to counter homelessness

In July 2022, the government adopted a national homelessness strategy²³ for the period 2022– 2026 with the aim of clarifying the focus of interventions to reduce the number of adults and children experiencing homelessness, as well as those measures aimed at preventing people from becoming homeless. To strengthen the municipalities' efforts to combat homelessness, the government has launched a multi-annual government grant for the municipalities during the strategy period to strengthen or implement the *Housing First* program. The National Board of Health and Welfare (*Socialstyrelsen*) was commissioned to distribute 30 million SEK in central government grants to municipalities to start or expand their work with this program. In November 2022, the government set aside an additional 40 million SEK for 2023 and intends to set aside further payments of 40 million SEK per year up to and including 2026.

²¹ Sweden, Ministry of Culture and Ministry of Health and Social Affairs (*Kulturdepartementet och Socialdepartementet*) (2023) Sport and recreational activities card for children and young people ([Startskott för regeringens satsning på ett fritidskort för barn och unga](#)), press release, 5 April 2023.

²² Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2023) State grant to support organizations that need to strengthen their operations due to the economic situation ([Möjlighet för civilsamhällesorganisationer att söka medel hos MUCF för insatser för socialt utsatta](#)), budget proposition, 22 June 2023.

²³ Sweden, Ministry of Health and Social Affairs (*Socialdepartementet*) (2022) National homelessness strategy to combat homelessness ([Nationell hemlöshetsstrategi ska motverka hemlöshet](#)), article, 17 October 2022. Four objectives: Prevent homelessness, No one should sleep rough or live on the street, Housing First should be introduced nation-wide, and Strengthen the social dimension in community planning.

The *Housing First* program offers housing to people experiencing acute homelessness in combination with voluntary and individually tailored assistance interventions. The method is based on the principle that homeless people have the same need for secure long-term housing as any other person, regardless of whether they are experiencing additional problems besides being homeless. Secure housing is sometimes also a prerequisite for various forms of support and care to be effective. The method has proved to be effective and is recommended by the National Board of Health and Welfare in the national guidelines for substance abuse and addiction treatment and as one of the psychosocial interventions for people suffering from schizophrenia.

Migration and asylum

Strengthening of early interventions for asylum seekers

The government has proposed that funds for early interventions for asylum-seekers be strengthened.²⁴ It is proposed to increase the grant, which is handled by the County Administrative Boards (*Länsstyrelsen*), by 20 million SEK in 2024 and to increase it again by 10 million SEK in 2025. These measures contribute to promoting participation, health and facilitating the path to work and may cover language training, networking and knowledge of Swedish society. Early interventions for asylum-seekers, etc. are described as important in facilitating the path to work and self-sufficiency, including for people with temporary protection under the Temporary Protection Directive.

Reflections on the positive and negative impacts of the legal and policy measures mentioned above

Overall, the Swedish Association of Local Authorities and Regions, or SALAR (SKR), takes a positive view of the government's welfare investments in the 2024 budget,²⁵ while also stating that the funds will not be enough, as the situation is still difficult for many municipalities and above all for the regions. The difficult economic situation and high rates of inflation have already caused municipalities and regions to take several measures in the form of efficiencies and savings. According to the SKR's latest Economic Report, in 2024 the municipalities and regions will have a deficit of 28 billion SEK, that is, just over 20 billion SEK for the regions and 7 billion SEK for the municipalities. In addition, SALAR has also suggested that the targeted state grants ought to be converted into more general grants. SKR would have liked to see more targeted investments in general state grants in order to secure welfare.

However, while several of the general and targeted policy measures for economic support mentioned above have the potential to contribute to alleviating conditions for all, they do not specifically address the increased costs of food and rent. National civil-

²⁴ Sweden, The County Administrative Board (*Länsstyrelsen*) (2023) Strengthening of early interventions for asylum seekers ([Bidrag för tidiga insatser för asylsökande](#)), official webpage, accessed 8 February 2024.

²⁵ Sweden, Swedish Association of Local Authorities and Regions, SALAR (*Sveriges kommuner och regioner, SKR*) (2023) Severe challenges for the welfare sector remain ([Fortsatt stora utmaningar för välfärdssektorn](#)), 20 September 2023.

society organizations, such as *Stadsmissionen* and Save the Children²⁶ (*Rädda Barnen*), have praised the increased and prolonged support to organizations, individuals and households with children, while also pointing to the risk they see that these efforts will be erased due to a fall in support in other areas. Both organizations work closely with individuals and families in need, and they report increased needs since last year.

Stadsmissionen, which holds activities across the country, reports a doubling in the number of visitors who come to them for food or who need food support.²⁷ The organization reports that the number of visitors, which it has been measuring since 2014, shows that the proportion of food-aid disbursements increased by 72 percent in 2022, the highest listing to date. According to these organizations, during the first half of 2023, distribution increased by 51 percent compared to the same period in 2022, while up to and including September of this year Stadsmissionen had distributed as much food as in the whole of 2022 (3,200 tonnes²⁸). The organization interprets this as clear evidence of increased food poverty in Sweden today.

According to Statistics Sweden (SCB), living costs in Sweden 2023 have increased since 2022, with the highest rise being in food costs.²⁹ The prices of food and non-alcoholic beverages have risen by over 20 percent in the past year according to Statistics Sweden's Consumer Price Index (KPI). It is reported that not since the beginning of the 1950s have food prices increased so much in one year in Sweden.³⁰ In 2023, rents increased by an average of 4.1 percent, which is a higher rent increase than the previous year, when the change in rent was 1.7 percent.

Regarding the economic vulnerability of children in Sweden, in June 2023 the Swedish Enforcement Authority (*Kronofogden*) reported³¹ that just over 180,000 children, or every twelfth child in Sweden, were growing up in families where at least one parent has debts or an ongoing debt settlement with the Swedish Enforcement Authority. This is an increase of 4 percent compared to the same time last year.

Official statistics from the SCB also show that it is almost six times more common for children with a foreign background than those with a Swedish background to be living

²⁶ Sweden, Save the Children (*Rädda barnen*) (2023) One year with the Tidö agreement – a rights of the child analysis ([Ett år med Tidöavtalet – en barnrättspolitisk analys](#)), 19 October 2023.

²⁷ Sweden, Stadsmissionen (2023) The Poverty Report 2023, ([Fattighedsrapporten 2023 - Sveriges stadsmissioner](#)), report 9/2023.

²⁸ The measurement referred to is the metric "tonne".

²⁹ Sweden, Statistics Sweden (SCB) (2023) Unprecedented increase of food prices last year ([Historisk ökning av matpriserna senaste året](#)), 15 March 2023.

³⁰ Sweden, Statistics Sweden (SCB) (2023) Unprecedented increase of food prices last year ([Historisk ökning av matpriserna senaste året](#)), 15 March 2023.

³¹ Sweden, Swedish Enforcement Authority (*Kronofogden*) (2023) 180 000 children have parents with debts to the Swedish Enforcement Authority ([180 000 barn har föräldrar med skulder hos Kronofogden](#)), press release, 15 June 2023.

at the standard of a low income.³² Overall, the SCB reports that children with a foreign background also remain in this situation for longer periods. According to the SCB, almost half of the children with a foreign background – 49 percent – have been living at a low-income standard in any of the seven years investigated. The corresponding proportion for children with a Swedish background is 12 percent.³³

At the same time, the Swedish Enforcement Authority reports that debts to the Enforcement Authority held by the elderly are also increasing.³⁴ The median debt among the elderly is almost twice as large as the median debt for other age groups. The authority states that many elderly people have lived with debt for a long time and find it difficult to get out of their situation of indebtedness, and that they often hold old debts that are constantly increasing due to interest and fees. At the turn of the year (2022/23), the total amount of debt for the elderly was approximately 21 billion SEK, which is an increase of just over one billion SEK compared to 2021. Of that, almost 10 billion SEK consisted of interest and fees, or just under half of the total amount of debt.

While organizations that are already working with people who are in socially particularly vulnerable situations can apply for state grants within the measure described above, the Swedish Red Cross (*Röda Korset*), among other actors, also calls for the need to raise the daily allowance of 71 SEK for asylum-seekers, including those from Ukraine within the TPD, which has not been increased since 1994.³⁵ On a more positive note, the legal measure for councils to allow Ukrainian refugees (TPDs) to enroll in Swedish for immigrants classes is broadly welcomed, as this has been one of the hurdles for Ukrainian refugees wishing to become involved in Swedish society and use the right to work.³⁶

The Swedish Tenants' Association (*Hyresgästföreningen*), in their monthly publication *Hem & Hyra*,³⁷ has also raised concerns about the consequences of the ambition of the

³² Sweden, Statistics Sweden (SCB) (2023) Almost one in four children with foreign background living at low income standard ([Nästan ett av fyra barn med utländsk bakgrund har låg inkomststandard](#)), press release, 23 January 2023.

³³ Sweden, Statistics Sweden (SCB) (2023) Almost one in four children with foreign background living at low income standard ([Nästan ett av fyra barn med utländsk bakgrund har låg inkomststandard](#)), press release, 23 January 2023.

³⁴ Sweden, Swedish Enforcement Authority (*Kronofogden*) (2023) Elderly people's debts to the Swedish Enforcement Authority are increasing ([Äldres skulder hos Kronofogden ökar](#)), press release, 1 June 2023.

³⁵ Sweden, Swedish Red Cross (*Röda Korset*) (2023) The Red Cross wants a more human migration policy ([Röda Korset vill se en mer human migrationspolitik](#)), 20 June 2023.

³⁶ See more on the topic in the Swedish chapter in the FRA report [Local efforts to integrate displaced persons fleeing the Russian invasion of Ukraine: challenges and promising practices | European Union Agency for Fundamental Rights \(europa.eu\)](#) (2023).

³⁷ Sweden, Swedish Tenants Association (2023) Tidö parties want parents of children who commit crime to be evicted ([Tidöpartierna vill att föräldrar till barn som begår brott ska kunna vräkas](#)), 3 March 2023.

committee directive described above, *Measures for safer residential areas: tenants' responsibility for the supervision of children to be strengthened for children who commit crimes*.³⁸ Through the Malmö district court, the STA has examined a whole year's sentences for certain types of crime to interpret who would be affected by tougher laws. They estimate that in Malmö alone, some fifty families could be thrown out in a year. This would be a significant increase, as the Swedish Enforcement Authority (*Kronofogden*) reports that a total of 345 children were evicted during the first six months of 2023, an increase of 28 percent compared to the same period in 2022.³⁹

Both Save the Children and the Swedish Association of Local Authorities and Regions, or SALAR (*Sveriges Kommuner och Regioner*),⁴⁰ among others, have also criticized the incompatibility with the existing legal framework and the negative impact of forcing all public employees to inform the authorities about undocumented migrants.⁴¹ This leads to fear in some groups leading to them not seeking support or health care or not sending their children to school.⁴²

From the perspective of the rights of the child, Save the Children is concerned that some of the proposed measures discriminate in how children's rights are met depending on the child's origin, place of residence or reason for being in Sweden.⁴³ In their report, 'One year with the Tidö Agreement' (*Ett år med Tidöavtalet*), they mention the risks of positive initiatives being thwarted by other proposals of a repressive nature around legal policy on crime prevention, migration and asylum.

In their Poverty Report for 2023,⁴⁴ Stadsmissionen also raises the challenge of a lack of data, as official statistics do not include all people who are economically vulnerable whom they meet daily, such as asylum-seekers, or undocumented or vulnerable EU citizens, because they cannot apply for welfare support from the local social services. They report that, as a result, several groups in a situation of vulnerability cannot benefit from the increased levels and prolonged support mentioned earlier.

³⁸ See under *Measures for safer residential areas: Tenants' supervision responsibility strengthened for children who commit crimes*, section on legal measures in this document.

³⁹ Sweden, Swedish Enforcement Authority (*Kronofogden*) (2023) Evictions are increasing – more children affected ([Vräkningarna ökar – allt fler barn berörs](#)), press release, 27 September 2023.

⁴⁰ Sweden, Swedish Association of Local Authorities and Regions, SALAR (*Sveriges kommuner och regioner, SKR*) (2023) Reporting duty clashes with existing laws ([Anmälningsplikt krockar med flera befintliga lagar](#)), 31 Augusti 2023.

⁴¹ See under *Measures to strengthen return operations*, section on legal measures in this document.

⁴² Sweden, Save the Children (*Rädda barnen*) (2023) One year with the Tidö agreement – a rights of the child analysis ([Ett år med Tidöavtalet – en barnrättspolitisk analys](#)), 19 October 2023.

⁴³ Sweden, Save the Children (*Rädda barnen*) (2023) One year with the Tidö agreement – a rights of the child analysis ([Ett år med Tidöavtalet – en barnrättspolitisk analys](#)), 19 October 2023.

⁴⁴ Sweden, Stadsmissionen (2023) The Poverty Report 2023, ([Fattighedsrapporten 2023 - Sveriges stadsmissioner](#)), report 9/2023.

In relation to the raised subsistence requirements for labor immigrants from countries outside the EU/EEA, the Swedish Association of Local Authorities and Regions, or SALAR (*Sveriges Kommuner och Regioner*),⁴⁵ among others, has raised the concern that it will make recruitment to the welfare sector more difficult. The difficulties are often exemplified by professions in health care and elderly care, such as assistant nurses, but they add that doctors and nurses who come from third countries are also affected by the new rules while waiting for Swedish IDs. They also refer to the Swedish Migration Agency's estimate that there are 800 active work permits with the healthcare or regional authorities as employers, of which 15-20 percent may be below today's subsistence requirements when extended. SALAR also estimates that the number of work permits in municipalities that pay salaries below the new subsistence requirements is higher.

The Swedish Association of Local Authorities and Regions or SALAR (*Sveriges Kommuner och Regioner*)⁴⁶ has also followed up the outcome of the recent amendment to the law, provided with a state budget of SEK 100 million, which is aimed at making it possible for Ukrainian refugees in Sweden under the Temporary Protection Directive (TPD) to participate in municipal adult education in Swedish for immigrants (SFI). According to SALAR, the assigned budget has been insufficient from the outset. Its own estimate was that it would only cover 3,500 of the 24,308 people from Ukraine who were staying in Sweden during the autumn. In their follow-up, they have confirmed that, by November 2023, 209 municipalities had applied for the equivalent of SEK 145.7 million and that there is a continued need in municipalities for funding lessons in Swedish for immigrants.

Table 1. Promising practice

Promising practice	
Title (original language)	Bostad först
Title (EN)	Housing First
Organisation (original language)	Socialstyrelsen
Organisation (EN)	The National Board of Health and Welfare
Government / Civil society	Government

⁴⁵ Sweden, Swedish Association of Local Authorities and Regions, SALAR (*Sveriges kommuner och regioner, SKR*) (2023) Raised subsistence requirements makes recruitment difficult ([Höjt försörjningskrav försvårar rekrytering](#)), 20 December 2023.

⁴⁶ Sweden, Swedish Association of Local Authorities and Regions, SALAR (*Sveriges kommuner och regioner, SKR*) (2023), State grant for Swedish For Immigrants for Ukrainians does not cover all, ([Statsbidrag för sfi för ukrainare räcker inte för alla](#)), 10 November 2023.

Promising practice	
Funding body	Government
Reference (incl. URL where available)	Motverka hemlöshet enligt metoden Bostad först - Socialstyrelsen
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	The National Board of Health and Welfare (<i>Socialstyrelsen</i>) was commissioned to distribute 30 million SEK in central government grants to municipalities to start or expand their work with <i>the Housing First</i> program. In November 2022, the government set aside an additional 40 million SEK for 2023 and intends to set aside 40 million SEK per year up to and including 2026.
Type of initiative	Combating homelessness
Main target group	Municipalities that strengthen their work against homelessness by preparing, starting, expanding or improving activities under the Housing First program.
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	<p>The <i>Housing First</i> program offers people experiencing acute homelessness housing in combination with voluntary and individually tailored assistance interventions. The method is based on homeless people having the same need for secure long-term housing as any other person, regardless of whether they are experiencing additional problems besides being homeless. Secure housing is sometimes also a prerequisite for various forms of support and care to be effective. The program has proved to be effective and is recommended by the National Board of Health and Welfare in its national guidelines for substance abuse and addiction treatment and as a psychosocial intervention for people suffering from schizophrenia.</p> <p>The program is designed for people who need extensive support to get out of homelessness, e.g. those who live with homelessness and have a mental illness and/or a substance-abuse problem. Interventions by Housing First are aimed at people with complex needs for support.</p> <p>Housing First's eight basic principles are:</p> <ol style="list-style-type: none"> 1. Housing is a human right. 2. The right to choose and self-determination. 3. Housing and treatment must be separated from each other. 4. Support is directed towards recovery.

Promising practice	
	<p>5. Support is based on harm reduction. 6. Active involvement without coercion. 7. Participant-led support based on the individual's strengths, needs and own goals. 8. Flexible support for as long as the person wants and needs.</p> <p>Other basic prerequisites and success factors are that:</p> <ul style="list-style-type: none"> • the program has long-term support from management (officials and politicians) • the program has or creates agreements, routines and checklists for work and collaboration, both internally within social services and with external parties • residents have access to support that is long-term and flexible in approach, competence and availability • residents may have some form of employment • staff receive training in the Housing First program and skills development based on needs
Highlight any element of the actions that is transferable (max. 500 chars)	The program is transferable but needs to be adjusted to the local context and to target groups' specific needs.
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	It is a holistic approach with strong beneficiary ownership. Planning before start-up, knowledge of the program, collaboration and long-term flexible work are important success factors for the program to function over time.
Give reasons why you consider the practice as having concrete measurable impact	<p>For example, a mapping of evaluations, research and studies related to the implementation and results of Housing First in different municipalities in Sweden was published by Sveriges Stadsmissioner in 2020. The mapping included both student essays and reports by established researchers from different disciplines. Most of these studies showed that Housing First has a positive effect and that around 80 percent of those who receive housing and support under the program remain in their accommodation over time.</p> <p>Erfarenheter i Sverige Bostad först Utvärdering av verksamheter (bostadforst.se)</p> <p>The mapping was done by Ola Segnestam Larsson, researcher (<i>Centrum för civilsamhällesforskning/Ersta Sköndal Bräcke</i>) University College/Score Stockholm</p>

Promising practice	
	School of Economics (<i>Handelshögskolan</i>)/Stockholm University.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	The program was developed in New York in the 1990s and has since been modified and adapted to be implemented in different contexts. It has been widely tested, documented and been proved to work in many countries around the world.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice	Beneficiaries are at the centre of the process, as stated in the basic principles. A clear distribution of responsibilities and well-functioning collaboration between social services and landlords/property companies, as well as landlords, emergency services and the health and medical services, including addiction care, are central to the work with Housing First.
Explain, if applicable, how the practice provides for review and assessment	

2. Threats to democratic values - Protecting civic space, strengthening meaningful participation and the rights to freedom of association, peaceful assembly and expression

2.1. Major threats to democracy as reflected in national legal and political developments and the discourse at national level.

Table 2 – Challenges

Based on a scan of legislative and policy and other developments and the public discourse please identify **three major challenges** to democracy emerged in the course of 2023.

Challenges	Justification/explanation: description of issue at stake and its overall relevance compared to other challenges to democracy and the civic space. Please provide examples and references.
Attacks and threats to the safety of civil society organisations, human rights defenders and journalists	<p>Hatred, threats and intolerance against civil society organisations.</p> <p>In December 2023, the government invited around 20 civil-society organizations (CSOs) to an expert council (<i>sakråd</i>) on the national work against racism. At the meeting, the CSOs emphasized the increasing polarization of Swedish society. Several examples were highlighted of how various forms of racism, as well as expressions of hatred and threats, have increased. Examples included increased antisemitism and Islamophobia, and hatred and threats directed at the Sámi and Roma populations. The CSOs also emphasized that the media</p>

climate has become increasingly harsh and that their democratic space has shrunk. Several CSOs stated that they avoid pursuing certain issues, as they know this would generate hate and threats on, for example, social media.⁴⁷

In November 2023, the Swedish Institute for Human Rights (*Institutet för mänskliga rättigheter*) published a report on awareness and experiences of human rights in Sweden in 2022–2023. According to the survey underlying the report, freedom from hatred, threats and violence and freedom from discrimination are the rights that most people consider to be threatened in Sweden today. According to the responses to the survey, the rights of certain groups are considered to be particularly threatened, such as foreign-born persons and people with foreign backgrounds, including asylum-seekers.⁴⁸ In 2023, the Institute also initiated two studies focusing on the exposure of religious associations and organizations to hate and threats and how this affects the freedom of religion in Sweden. The Institute will focus on Jewish and Islamic associations in particular.⁴⁹

Between 11-20 October 2023, the United Nations Special Rapporteur on the freedom of religion or belief visited Sweden. The purpose of the visit was to assess the freedom of religion or belief in Sweden, including the identification of instances of religious or belief intolerance in Swedish society. Several challenges to the freedom of religion or belief in Sweden were identified. In the preliminary observations and recommendations following the visit, the Special Rapporteur urged Sweden to combat religious or belief intolerance. The Special Rapporteur also recommended, among other things, that “both freedom of religion or belief, and its manifestation, be understood and protected more broadly in the Swedish legal order”. The Special Rapporteur also noted an increased concern among faith communities over access to funding for their needs and activities, including being able to congregate in safety and

⁴⁷ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*) Focus on anti-racism work when the Government met with the civil society ([Fokus på arbetet mot rasism när regeringen träffade civilsamhället](#)), Article, 15 December 2023.

⁴⁸ Sweden, Institute for Human Rights (*Institutet för mänskliga rättigheter*) (2023) Awareness and experiences of human rights in Sweden 2022–2023 ([Kännedom om och upplevelser av mänskliga rättigheter i Sverige 2022–2023](#)), December 2023.

⁴⁹ Sweden, Institute for Human Rights (*Institutet för mänskliga rättigheter*) Threats and hatred against religious associations ([Hot och hat mot religiösa föreningar](#)), official webpage, accessed 2 January 2024.

security. The full report will be submitted to the UN Human Rights Council in March 2024.⁵⁰

Strengthened security for faith communities

On 29 June 2023, the government assigned the Swedish agency for support to faith communities (*Myndigheten för stöd till trossamfund*) to carry out efforts to strengthen the security of faith communities and increase knowledge about their security situation and exposure to various forms of racism and hate crimes. According to the government, the safety of faith communities is often affected by various forms of violence and utterances of hatred. Efforts are therefore needed to strengthen the security of faith communities. The assignment includes producing a report on the security situation of various faith communities and implementing knowledge-raising initiatives at the regional level aimed at faith communities, municipalities, county administrative boards and other authorities.⁵¹

Stricter protection under the criminal law for journalists and certain other professions of benefit to society

The vulnerability of journalists has been addressed in several investigations, and a number of studies have been conducted showing that journalists as a professional group are subjected to threats and harassment.⁵² The government has also noted that professionals who are of central importance for the functioning of society are exposed to varying degrees of violence, threats and harassment. The government stresses that violence, threats or harassment against anyone who conducts news distribution or practices other professions of benefit to society is, both directly and by extension, an attack not only on the individual but also on democracy.

In April 2023, the government presented a bill to strengthen the criminal law protection for journalists and certain other

⁵⁰ United Nations, Special Rapporteur on freedom of religion or belief, Preliminary observations and recommendations Stockholm, 20 October 2023.

⁵¹ Sweden, Ministry of Employment (*Arbetsmarknadsdepartementet*), Ministry of Culture (*Kulturdepartementet*), Ministry of Health and Social Affairs (*Socialdepartementet*) (2023) The security for faith communities must be strengthened ([Säkerheten för trossamfund ska stärkas](#)), press release, 29 June 2023.

⁵² See for example, Sweden, Committee on Justice (*Konstitutionsutskottet*) (2023) Stricter criminal law protection for journalists and certain other professions of benefit to society ([Skärpt syn på brott mot journalister och vissa andra samhällsnyttiga funktioner](#)), committee report 2022/23:JuU27, 20 June 2023.

	<p>professions of benefit to society.⁵³ In June 2023, the parliament approved the proposals. To strengthen the criminal law protection for journalists, a specific ground was introduced for increasing the penalty for offences committed against a person because he or she or a close relative has been professionally engaged in news provision or other journalism. Moreover, the legal prohibition of violence or threats against a public official and abuse of a public official were extended to cover persons working in professions of benefit to society in the performance of their duties. These professions include care and health-care personnel, social service personnel, emergency service personnel and educational personnel within the school system and university.⁵⁴</p>
<p>Legal and administrative constraints, harassment, intimidation, and reprisals against civil society organisations, human rights defenders (including SLAPPs - strategic lawsuits against public participation)</p>	
<p>Lack of media freedom a/o media pluralism; disinformation (incl. online)</p>	<p>Disinformation against democratic values and structures. In 2023, there the spread of disinformation directed at Sweden increased, particularly on social media.⁵⁵ Sweden has been subject to malign information-influence activities for an extended period of time, starting in 2021 with a disinformation campaign against the Swedish social services' treatment of children under the Care of Young Persons Act (LVU). One of the main causes for the increased spread of disinformation in 2023 was, according to the government, a number of manifestations where holy scriptures have been desecrated (burning of the</p>

⁵³ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Stricter criminal law protection for journalists and certain other professions of benefit to society ([Skärpt syn på brott mot journalister och vissa andra samhällsnyttiga funktioner](#)), government bill 2022/23:106, 25 April 2023.

⁵⁴ Sweden, Committee on Justice (*Konstitutionsutskottet*) (2023) Stricter criminal law protection for journalists and certain other professions of benefit to society ([Skärpt syn på brott mot journalister och vissa andra samhällsnyttiga funktioner](#)), committee report 2022/23:JuU27, 20 June 2023.

⁵⁵ Sweden, Psychological Defence Agency (*Myndigheten för psykologiskt försvar*) Increased spread of disinformation directed against Sweden ([Ökad spridning av desinformation riktas mot Sverige](#)), official website, 18 August 2023.

	<p>Quran).⁵⁶ These disinformation campaigns convey messages such as that the Swedish state supports desecrations of Islam and that Sweden as a country uses freedom of expression in order to attack Islam. Another narrative being spread is that Sweden is hostile to Islam. According to the Psychological Defence Agency (<i>Myndigheten för psykologiskt försvar</i>) and the government, these disinformation campaigns have links to foreign actors.⁵⁷</p> <p>On 2 February 2023, the government assigned the Psychological Defence Agency the task of strengthening the ability to counter malign information-influence activities directed at the Swedish social services. On 29 August 2023, the government announced its intention to give the Agency increased funding and an additional assignment targeting disinformation campaigns directed at Sweden in the aftermath of the burning of holy scriptures.⁵⁸ According to the government, these disinformation campaigns are connected and are to some extent conducted by the same actors.</p> <p>At the end of November 2023, an incorrect translation of a media clip from an open Q&A session with the Swedish Prime Minister was spread on social media. Shortly thereafter, the Prime Minister issued a statement in response to the misleading information. According to the Prime Minister, dissemination of the incorrect translation contributed to further fuelling the image of Sweden as an Islamophobic country and as a country that does not respect Islam or its practitioners.⁵⁹</p>
Foreign interference	
Lack of (processes for) transparent,	Unauthorized influence against elected representatives, political parties and decision-making assemblies

⁵⁶ Sweden, Ministry of Defence (*Försvarsdepartementet*) (2023) Increased spread of disinformation directed against Sweden ([En ökad spridning av desinformation riktas mot Sverige](#)), press release, 26 July 2023.

⁵⁷ See for example, Ranstorp, M. and Alerup, L., Swedish Defence University (2023), '[LVU-kampanjen - Desinformation, konspirationsteorier, och kopplingarna mellan det inhemska och det internationella i relation till informationspåverkan från icke-statliga aktörer](#)', Psychological Defence Agency, and; Sundqvist, G. and Lindberg, F., Swedish national China Centre och Mälardalen University (2023), '[Statliga kinesiska påverkansoperationer mot demokratin i svenska kommuner](#)', Psychological Defence Agency.

⁵⁸ Sweden, Ministry of Defence (*Försvarsdepartementet*) (2023) New assignment and increased funding for the Psychological Defence Agency ([Nytt uppdrag och ökat anslag till Myndigheten för psykologiskt försvar](#)), press release 29 August 2023.

⁵⁹ Sweden, Government Offices (*Regeringskansliet*) Statement by the Swedish Prime Minister ([Uttalande av statsministern](#)), 24 November 2023.

<p>accountable, democratic and pluralistic participation in law and policymaking; incl. access to information</p>	<p>In 2023, several government agencies reported the occurrence of unauthorized influence in the form of threats, violence, harassment, vandalism, corruption and infiltration in various ways against elected representatives, political parties and decision-making assemblies. For example, government agencies working against organized crime assess that unauthorized influence⁶⁰ against political bodies and employees in municipal and state administration is one of the most serious threats to democratic society.⁶¹ The Swedish Agency for Gender Equality (<i>Jämställdhetsmyndigheten</i>) states in their 2023 annual report that threats and violence against politicians are a serious and growing problem, elected women being a particularly vulnerable group.⁶²</p> <p>In February 2023, the government invited a number of government agencies, municipalities, representatives of the Committee on the Constitution, the Swedish Association of Local Authorities and Regions, and Transparency International Sweden to a round-table discussion on unauthorized influence against parties and public decision-making.⁶³ The aim was to create a common picture of the challenges identified by different actors, the most serious risk factors and the measures needed in the short and long term. One conclusion was that the number of unreported cases of unauthorized influence against parties and public decision-making is likely to be high.</p> <p>On 18 April 2023, the government assigned the Swedish National Council for Crime Prevention (<i>Brottsförebyggande rådet, Brå</i>) the task of analysing unauthorized influence exerted by actors and groups threatening the democratic system. The government regards attempts to influence the public sector as a serious challenge to democracy, in particular as regards attempts to influence elected representatives.⁶⁴</p>
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⁶⁰ The concept of unauthorised influence (*otillåten påverkan*) is used by these authorities as an umbrella term for various criminal and non-criminal approaches aimed at influencing political decision-making, freedom of expression, or the judicial process, and directly or indirectly influencing the exercise of public authority and decision-makers in the private business sector.

⁶¹ Sweden, Swedish Police Authority (*Polismyndigheten*) and others, Joint status report of organised crime ([Myndighetsgemensam lägesbild mot organiserad brottslighet](#)), June 2023.

⁶² Sweden, Swedish Agency for Gender Equality (*Jämställdhetsmyndigheten*) Steps forward and new challenges ([Steg framåt och nya utmaningar](#)), report, April 2023.

⁶³ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Round table discussions on unauthorised influence against parties and public decision-making ([Rundbordssamtal om otillåten påverkan mot partier och offentligt beslutsfattande](#)), Article, 27 February 2023.

⁶⁴ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Assignment to study unauthorised influence exerted by actors and groupings threatening the democratic system ([Uppdrag att studera otillåten påverkan som utövas av systemhotande aktörer och grupperingar](#)), government assignment, 18 April 2023.

Restrictions on the Police Authority's documentation obligation

In December 2022, the government submitted a memorandum proposing strengthened protection for those of the Police Authority's (*Polismyndigheten*) employees who work against organized crime and criminal networks. According to the proposal, employees of the Police Authority working against organized crime will in certain cases be able to remain anonymous in decisions and other documents in which measures are documented. It is also proposed that confidentiality should apply to information that may contribute to revealing information about the identity of the employee at the Police Authority who has been anonymised in such documents. Thus, the proposed regulation entails certain restrictions on the transparency of information and deviates from the current principles of the documentation obligation that characterize the Swedish legal system. Therefore, the principle of anonymity is proposed to apply for a limited period of five years. The proposals have been circulated for consultation. It is proposed that the amendments will enter into force on 15 April 2024.⁶⁵

Shorter timeframes for consultation processes for legal drafts.

During 2023, concerns have been raised over a tendency to reduce the timeframes for consultation processes regarding legal drafts.⁶⁶ This can also be seen in the Prime Minister's statement of government policy of 12 September 2023, in which he declared the government's intention to shorten – even halve – the duration of inquiries. Under the heading of major social problems, the Prime Minister stressed the need for reform processes to be quicker. Among other things, the Prime Minister stated that a function to this effect will be established under the Coordination Secretariat of the Prime Minister's Office. Through this function, experienced and well-qualified inquiry chairs will undertake targeted inquiries.⁶⁷

⁶⁵ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Strengthened protection of certain police employees ([Stärkt skydd för vissa polisanställda](#)), 22 December 2023.

⁶⁶ See for example, ENNHRI (European Network of National Human Rights Institutions) (2023) [State of the Rule of Law in the European Union - Reports from National Human Rights Institutions - 2023](#), Belgium, ENNHRI.

⁶⁷ Sweden, Government Offices (*Regeringskansliet*) (2023) '[Statement of Government Policy 12 September 2023](#)', speech, 12 September 2023.

Lack of election integrity (incl. electoral process, political campaigning and party financing)	
Disproportionate use of law enforcement measures (surveillance, police violence, unlawful arrest etc.)	
Corruption, including misuse of EU funds	
Lack of (effective judicial protection by) independent and impartial courts	
Threats to (the independence of) the fundamental rights institutional landscape (NHRIs, equality bodies, data protection authorities and similar bodies), incl. closure of fundamental rights bodies, legal changes, budget cuts and harassment	
Institutional issues linked to checks and balances (lack of parliamentary oversight, lack of implementation of final court decisions by executive, etc.)	

Other major developments threatening democratic values	Please explain
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2.2. Legislative and policy measures having an impact on the freedom of assembly/association/expression of civil society actors.

Constitutional committee to investigate the constitutional protection of freedom of association in relation to criminal associations

Already in 2022, the government declared their intention to enable the criminalization of participation in criminal organizations through constitutional amendments.⁶⁸ On 12 June 2023, the government assigned a parliamentary committee to investigate some questions regarding the protection of fundamental rights and freedoms in the Constitution.⁶⁹ One part of the assignment is to expand the opportunities to limit the freedom of association in relation to criminal associations. The government stresses that organized crime is a serious threat not only to individuals but to society in its entirety, and it views organized crime in Sweden as a form of internal terrorism (*inhemsk terrorism*).⁷⁰ According to the government the situation necessitates new and powerful tools, including constitutional amendments, to enable the comprehensive criminalization of participation in a criminal organization and other criminal groups. The government emphasizes the need to ensure that such amendments do not jeopardise or undermine the constitutional protection of the individual's freedom of association.

⁶⁸ Sweden, Tidö Agreement – Agreement for Sweden ([Tidöavtalet – Överenskommelse för Sverige](#)), October 2022, p. 20.

⁶⁹ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Some questions on fundamental rights and freedoms ([Några frågor om grundläggande fri- och rättigheter](#)), committee directive, 15 June 2023.

⁷⁰ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) The government appoints a constitutional committee to investigate some issues concerning fundamental rights and freedoms ([Regeringen tillsätter en grundlagskommitté som ska utreda några frågor om grundläggande fri- och rättigheter](#)), press release, 15 June 2023.

The criminalization of participation in organizations has been investigated several times.⁷¹ The most recent such investigation concerned participation in terrorist organizations. It resulted in constitutional amendments enabling the limitation, through law, of the freedom of association relating to engagement in, or in support of, terrorism.⁷² These constitutional amendments entered into force on 1 January 2023. Following this, a new provision was introduced on 1 June 2023 criminalizing, among other things, participation in a terrorist organization.⁷³ Prior to these amendments, the constitutional provisions on freedom of association have had largely the same legal content since they were introduced in 1976.

The criminalization of participation in criminal associations would constitute a further infringement of freedom of association by restricting individuals from membership in communities and associations. Several actors have questioned whether such a restriction is a necessary and effective measure to combat serious crimes. Furthermore, an inquiry from 2021 on increased penalties for crimes within criminal networks concluded that it is difficult to establish a definition of what constitutes a criminal organization or network.⁷⁴

A special inquirer to assess the need for amendments to the regulations on public gatherings in the Public Order Act

In 2022 and 2023, a number of instances of burnings of the Quran as a religious text occurred in Sweden. In connection with these events, questions about the limitations on freedom of expression and demonstration have arisen. In general, the discussion has focused on weighing two interests and obligations against each other, namely freedom of expression and demonstration, and the need to take measures to combat agitation against a specific population group (*hets mot folkgrupp*). In Sweden, freedom of expression and demonstration are protected by the Constitution. Freedom of demonstration includes the freedom to organize and participate in demonstrations in

⁷¹ See for example, Sweden, Ministry of Justice (*Justitiedepartementet*) (2000) Organised crime, agitation against a population group, agitation against homosexuality, etc.: scope of criminal liability ([Organiserad brottslighet, hets mot folkgrupp, hets mot homosexuella, m.m. - straffansvarets räckvidd](#)), government official report, 2000:88, 1 January 2000 and; Sweden, Ministry of Justice (*Justitiedepartementet*) (2021) Freedom of association and terrorist organisations ([Föreningsfrihet och terroristorganisationer](#)), government official report, SOU 2021:15, 16 March 2021.

⁷² Sweden, Committee on Justice (*Konstitutionsutskottet*) (2022) Freedom of association and terrorist organisations ([Föreningsfrihet och terroristorganisationer](#)), committee report, 8 November 2022.

⁷³ Sweden, Terrorist Crime Act ([Terroristbrottslag \[2022:666\]](#)), 1 June 2023, sections 4a, 5-8, 10 and 11.

⁷⁴ Sweden, Ministry of Justice (*Justitieministeriet*) (2021) Increased penalties for crimes in criminal networks ([Skärpta straff för brott i kriminella nätverk](#)), government official report, 24 August 2021.

public places. The Swedish Police Authority (*Polismyndigheten*) is tasked by the Public Order Act (*Ordningslag [1993: 1617]*) with enabling public gatherings.

According to the government, the burnings of the Quran have, together with a raised terror threat level and malign disinformation activities targeting Sweden, seriously worsened the Swedish security situation. In June 2023 two Administrative Court of Appeal decisions ruling on the refusal to issue permits for public gatherings where burnings of the Quran can be expected to occur became legally binding. The decisions found that the Police Authority did not have the right to refuse the issuance of permissions to organize public gatherings with reference to circumstances that threaten Sweden's internal security on a general level.⁷⁵

As an attempt to prevent burnings of the Quran at public gatherings, on 18 August 2023 the government assigned a special inquirer to assess the need for amendments to the Public Order Act.⁷⁶ The special inquirer must review whether the circumstances that threaten Sweden's security on a general level can be taken into account when examining permits for public gatherings and when considering cancelling and dissolving public gatherings in accordance with the Public Order Act. According to the government, the point of departure is to avoid constitutional amendments. Thus, the proposals put forward by the special inquirer must be made within the framework of the current constitutional provisions on freedom of expression and demonstration.⁷⁷

The discussion on how the legislative framework and authorities' practices should ensure official commitments to fundamental rights to both combat agitation against a population group and to ensure freedom of expression and demonstration is ongoing. Currently, the Swedish Democrats political party, which is part of the "Tidö agreement" (*Tidöavtalet*),⁷⁸ opposes the government's decision to appoint a special inquirer to assess the need for amendments to the Public Order Act.

⁷⁵ The two Administrative Court of Appeal decisions are described further in 2.2. below.

⁷⁶ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) A review of the Public Order Act to strengthen Sweden's security ([En översyn av ordningslagen för att stärka Sveriges säkerhet](#)), press release, 18 August 2023.

⁷⁷ Sweden, Ministry of Justice (*Justitiedepartementet*) (2023) Strengthened protection for Sweden's security at public gatherings ([Stärkt skydd för Sveriges säkerhet vid allmänna sammankomster](#)), committee directive 2023:123, 18 August 2023.

⁷⁸ Sweden, Tidö Agreement – Agreement for Sweden ([Tidöavtalet – Överenskommelse för Sverige](#)), October 2022.

Government report on interventions against radio and television satellite broadcasting in the interests of Sweden's security

In June 2022, the government assigned a special inquirer to propose regulations allowing for interventions against radio and television broadcasts via satellite for the purposes of Sweden's security, while at the same time safeguarding freedom of expression and information.⁷⁹ In March 2023, the assignment was extended to include, among other things, the possibility to revoke licenses to transmit radio and television programs on the grounds of offences that are not protected under freedom of expression legislation.⁸⁰ In October 2023, the report was submitted to the government.⁸¹

In Sweden, there is currently no licensing requirement for broadcasts of radio and television via satellite. According to the inquiry, the introduction of such a licensing requirement would provide stronger protection for Swedish security interests.⁸² The inquiry also suggests that it should be possible to revoke a licence if the license-holder has substantially violated certain provisions of the Radio and Television Act (*Radio- och TV-lag [2010:696]*) or substantially disregarded the license conditions.⁸³ Currently, there is a mechanism for revoking certain licenses for radio broadcasts if offences against freedom of expression are committed during such broadcasts. The inquiry proposes a similar mechanism for revoking licences for television broadcasts. The proposal entails that a responsible publisher can be convicted of an offence against freedom of expression and that license holders can have their licenses revoked. According to the inquiry, the amendment is a serious limitation on the right to freedom of expression. However, the inquiry stresses that the proposed legislation contains a number of procedural safeguards. For example, revocations will only be actualized in connection with a court examining the question of whether an offence against freedom of

⁷⁹ Sweden, Ministry of Culture (*Kulturdepartementet*) (2022) Intervention against satellite broadcasting in the interests of Sweden's security ([Ingripande mot satellitsändningar med hänsyn till Sveriges säkerhet](#)), committee directive, 2022:81, 23 June 2022.

⁸⁰ Sweden, Ministry of Culture (*Kulturdepartementet*) (2023) Supplementary directive to the inquiry Intervention against satellite broadcasting in the interests of Sweden's security ([Tilläggsdirektiv till utredningen Ingripande mot satellitsändningar med hänsyn till Sveriges säkerhet](#)), committee directive, 2023:39, 23 March 2023.

⁸¹ Sweden, Ministry of Culture (*Kulturdepartementet*) (2023) The report Sweden's security on the airwaves was submitted to the Government ([Betänkandet Sveriges säkerhet i etern överlämnades till regeringen](#)), press release, 26 October 2023.

⁸² Sweden, Ministry of Culture (*Kulturdepartementet*) (2023) Sweden's security on the airwaves ([Sveriges säkerhet i etern](#)), government official report, SOU 2023:63, 26 October 2023, pp. 11-12.

⁸³ Sweden, Ministry of Culture (*Kulturdepartementet*) (2023) Sweden's security on the airwaves ([Sveriges säkerhet i etern](#)), government official report, SOU 2023:63, 26 October 2023, pp. 12-13.

expression has been committed.⁸⁴ In addition, the proposal is limited to certain freedom of expression offences affecting Sweden's security, as outlined in the Radio and Television Act.⁸⁵

Table 3 – Case law

Case law	
Deciding body (in original language)	Kammarrätten i Stockholm
Deciding body (in English)	Administrative Court of Appeal in Stockholm
Case number (also European Case Law Identifier ECLI , where applicable)	Case number 2079-23, 2080-23
Parties	Swedish Police Authority and Salwan Momika Swedish Police Authority and the culture association Apallarkerna
Decision date	12 June 2023
Web link to the decision (if available)	Dom i de så kallade koranmålen - Sveriges Domstolar
Which fundamental freedoms of (peaceful assembly, association and/or expression) were referred to in the case?	Freedom of assembly/freedom of demonstration
Key facts of the case (max. 250 words)	In February 2023, one association and one private individual applied for permission to organize public gatherings outside the Turkish and Iraqi embassies respectively. It was stated that a burning of the religious text, the Quran, would take place at the gatherings. The Police Authority (<i>Polismyndigheten</i>) refused the permits, their main argument for doing so being that public order and security following the planned

⁸⁴ Sweden, Ministry of Culture (*Kulturdepartementet*) (2023) The report Sweden's security on the airwaves was submitted to the Government ([Betänkandet Sveriges säkerhet i etern överlämnades till regeringen](#)), press release, 26 October 2023.

⁸⁵ Sweden, Ministry of Culture (*Kulturdepartementet*) (2023) Sweden's security on the airwaves ([Sveriges säkerhet i etern](#)), government official report, SOU 2023:63, 26 October 2023, pp. 13-15.

Case law	
	<p>gatherings could not be guaranteed. The Swedish Police Authority referred to an assessment made by the Swedish Security Service (<i>Säkerhetspolisen, SÄPO</i>) that burnings of the Quran have increased in Sweden and that in the future this might increase the threat of attacks against Sweden and Swedish interests. The association and the private individual appealed against the decision to the Administrative Court.</p> <p>Freedom of assembly and demonstration are protected by the Constitution (Instrument of Government). The ability to refuse to issue a permit for a public gathering is therefore limited. The detailed provisions regarding the issuing of permits for public gatherings is regulated in the Public Order Act. One reason for refusing such permission is necessity to ensure public order or safety at such a gathering, or, as a direct consequence of the gathering, in its immediate surroundings. In its reasoning, the Administrative Court held that there was no clear connection between the risks to public order or safety and the public gathering or its immediate surroundings. The Police Authority therefore did not have sufficient basis to reject the applications for permission to organize a public gathering. The Administrative Court reversed the Police Authority's decision.</p> <p>The Police Authority appealed against the lower court's decisions to the Administrative Court of Appeal, who dismissed the appeal.</p>
The key legal question raised by the Court	The key legal question examined by the Administrative Court of Appeal was whether the Police Authority had the right to refuse the applications for permission to organize the public gatherings.
Result of the case in terms of factual outcome, and in terms of assessment of the legal question raised	<p>The Administrative Court of Appeal held that the conditions for refusing the requested permission were missing in the two cases. The Police Authority's decision should therefore be reversed.</p> <p>According to Chapter 2, Section 10 of the Public Order Act, permission to hold a public gathering may only be refused if it is necessary to do so with respect to public order or safety at the gathering or, as a direct consequence of the gathering, in its immediate surroundings. A public gathering may also be refused on the basis of obstructing traffic or to counter an epidemic. The Administrative Court of Appeal considered that</p>

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	the public order and security problems referred to by the Police Authority did not have a sufficiently clear connection to the planned gatherings or its immediate surroundings.
Deciding body (in original language)	Högsta Domstolen
Deciding body (in English)	Supreme Court
Case number (also European Case Law Identifier ECLI , where applicable)	Case number B 2381-22
Parties	Group of seven individuals (1. GBD; 2. ECE; 3. FCS; 4. EM; 5. CSA; 6. PH; and 7. SOR) and Prosecutor-General
Decision date	30 June 2023
Web link to the decision (if available)	Mål: B 2381-22 - Högsta domstolen
Which fundamental freedoms of (peaceful assembly, association and/or expression) were referred to in the case?	Freedom of expression
Key facts of the case (max. 250 words)	<p>On 12 November 2019, an interpellation debate was held in the Chamber of the Swedish Parliament. A group of people in the public gallery expressed their displeasure by shouting out what they thought the Minister speaking should have said. Some of them raised their arms, and others unfurled a flag. The expression of discontent lasted barely a minute before security guards took the group out of the public gallery.</p> <p>The participants in the action were charged with disturbing a proceeding or disturbing a public gathering, by together and in consensus by noise or other such means disrupting a state proceeding, in this case an interpellation debate in the Parliament.</p> <p>The District Court convicted the participants of disturbing a proceeding and issued a penalty consisting of day fines. Upon appeal, the Court of Appeal essentially affirmed the</p>

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	judgment of the District Court. The case then went to the Supreme Court.
The key legal question raised by the Court	The key legal question examined by the Supreme Court concerned the conditions for criminal liability in respect of disturbing proceedings or a public gathering and, in particular, the question of what noise and related fracas constitutes a disturbance in the meaning of the law. The Court also examined the legal aspects of freedom of expression in relation to the prosecution of disturbing proceedings.
Result of the case in terms of factual outcome, and in terms of assessment of the legal question raised	<p>The Supreme Court affirmed the Court of Appeal's judgement, and the appellants were convicted of disturbing a proceeding under Chapter 16, Section 4 of the Criminal Code. In the current case, the Supreme Court held that the protection of freedom of expression did not constitute an obstacle to the prosecution of the offence in question.</p> <p>The majority of the Supreme Court held that it was clear that the expression of discontent caused noise and related fracas, and that a proceeding in Parliament had been disrupted. However, two justices disagreed with the majority, arguing that the conduct could not be regarded as a disturbance in the meaning of Chapter 16, Section 4 of the Criminal Code.</p>
Deciding body (in original language)	Linköpings tingsrätt
Deciding body (in English)	Linköping District Court
Case number (also European Case Law Identifier ECLI , where applicable)	Case number B 1406-21
Parties	A.A. vs the Chief Public Prosecutor
Decision date	12 October 2023
Web link to the decision (if available)	Dom i mål om hets mot folkgrupp - Sveriges Domstolar
Which fundamental freedoms of (peaceful assembly, association and/or expression) were	Freedom of expression

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referred to in the case?	
Key facts of the case (max. 250 words)	<p>A.A. was prosecuted for producing and distributing a film on the Quran being burned along with bacon on a grill. Under the grill there were signs that read, among other things, "Muhammad was a paedophile". According to the indictment, the film was soundtracked with music strongly associated with, among other things, the mosque attack in Christchurch, New Zealand, in 2019, in which 51 people were killed and about fifty people were injured. It also appears from the film that the Quran and the burnt bacon were left at the entrance to a mosque. The accused produced and distributed the film, together with others, on 11 September 2020.</p> <p>The District Court (<i>Tingsrätt</i>) convicted A.A. of agitation against a population group (<i>hets mot folkgrupp</i>). The judgement was appealed to the Court of Appeal (<i>Hovrätten</i>) on 1 November 2023.</p>
The key legal question raised by the Court	<p>The key legal question raised by the District Court was whether these acts or events constituted agitation against a population group. The Court also examined the legal aspects of freedom of expression in relation to agitation against a population group.</p>
Result of the case in terms of factual outcome, and in terms of assessment of the legal question raised	<p>The District Court found the charges against A.A. to be proven. A.A. was convicted of agitation against a population group and given a conditional sentence (<i>villkorlig dom</i>).</p> <p>The Court concluded that the course of events was as the prosecutor had claimed in the indictment. The Court referred to the specific circumstances in the case, including the use of music which it considered to be strongly associated with, among other things, the attack in Christchurch, New Zealand. The Court concluded that this choice of music for a film with the described content could not be perceived in any other way than as a threat to Muslims with reference to the profession of faith. Thus, the film was considered by the Court to be aimed at Muslims, and not at Islam as a religion. According to the Court other aspects of the film, taken together in this context, amounted to an expression of contempt.</p> <p>The Court held that the interest in protecting a group against threats and contempt may constitute such an important reason that it allows restrictions on the freedom of expression under the Constitution (Instrument of Government). The Court concluded that it was not contrary to the Constitution</p>

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	or the European Convention on Human Rights to convict A.A. of agitation against a population group.