

INTERNATIONAL
CONVENTION
ON THE ELIMINATION
OF ALL FORMS OF
RACIAL DISCRIMINATION



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COMMITTEE ON THE ELIMINATION OF
RACIAL DISCRIMINATION
Thirty-seventh session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Ninth periodic reports of States parties due in 1989

Addendum

SWEDEN 1/

[5 January 1989]

1. The eighth periodic report of the Government of Sweden was submitted on 25 September 1987 and is contained in document CERD/C/158/Add.7. The present report contains a brief updating of the eighth periodic report. In the text below reference is made to those paragraphs in document CERD/C/158/Add.7 on which additional information is provided.

1/ In accordance with the recommendation of the 11th Meeting of States Parties to the Convention on 29 April 1987 relating to the periodicity of reporting under article 9 of the Convention which was endorsed by the Committee on the Elimination of Racial Discrimination at its 827th Meeting (thirty-sixth session), on 9 August 1988 (see: A/43/18, paragraph 24 (c)), the present ninth periodic report contains a brief updating of the eighth periodic report submitted by the Government of Sweden which is pending consideration before the Committee.

For the seventh and eighth periodic reports submitted by the Government of Sweden and the summary records of the meetings of the Committee at which those reports were considered, see:

- (7) CERD/C/131/Add.2/Rev.1 (CERD/C/SR.768-SR.769);
- (8) CERD/C/158/Add.7 (Pending consideration).

PART I: GENERAL COMMENTS

2. Paragraph 22. The demand for different types of action by the Ombudsman Against Ethnic Discrimination is increasing. The number of individual cases submitted to him exceeds 700 per year. The Ombudsman is also increasingly participating in conferences and in delivering lectures.

3. Paragraphs 23-24. The report of the Special Commission Against Racism and Xenophobia is expected to be presented by the end of March 1989.

PART II INFORMATION IN RELATION TO ARTICLES 2 TO 7

Article 2.1 (d)

4. Paragraph 39. Due to an amendment of the Freedom of the Press Act, which entered into force on 1 January 1989, the prohibition of agitation against an ethnic group in a printed publication is now to be found in chapter 7, section 4, subsection 11 of the Freedom of the press Act.

5. Paragraph 41. The Government Bill on agitation against an ethnic group referred to in paragraph 88 of the eighth periodic report has been approved by the Swedish Parliament. The amendment is described below in the context of the comments on paragraph 88. The amendment of chapter 16, section 8, of the Penal Code entered into force on 1 January 1989. The text of paragraph 41 of the eighth report should therefore read:

"Pursuant to chapter 16, section 8, of the Penal Code, anyone who in a statement which is disseminated, threatens or expresses contempt for an ethnic group or other group of persons by making allusions to race, colour, national or ethnic origin or religious creed, shall be convicted for agitation against an ethnic group. The penalty for this is imprisonment for not more than two years or, for minor offences, a fine."

Article 4 (a)

6. Paragraph 85. Due to the amendment mentioned in paragraph 5 above, the quotation of chapter 16, section 8, of the Penal Code should read as follows:

"If a person in a statement or other communication which is disseminated, threatens, or expresses contempt for, an ethnic group or other such group of persons with allusions to race, colour, national or ethnic origin or religious creed, he shall be sentenced for agitation against an ethnic group to imprisonment for not more than two years, or if the offence is minor, to a fine."

7. Paragraph 88. Due to the amendment mentioned in paragraphs 5 and 6 above, paragraph 88 should now read as follows:

"The Government presented a Bill in the spring of 1987 proposing that the provision contained in chapter 16, section 8, of the Penal Code be made even more stringent. The Bill was approved by the Swedish Parliament in June 1988. The amendment entered into force on 1 January 1989. The purpose of the amendment was to check the activities of racist organizations still further. Thus a racist statement is now punishable

without even having been made in public or spread to the public. It is sufficient for such a statement to have been disseminated within an organization or the like."

Article 4 (b)

8. Paragraph 99. Due to the amendment mentioned in paragraphs 5, 6 and 7, paragraph 99 should read as follows:

"The question of prohibiting racist organizations was the subject of a Government Bill which has recently been approved by Parliament. The view of the Government is that the more stringent definition of the offence of agitation against an ethnic group is in itself sufficient for Sweden to be considered to have fulfilled its commitment under the Convention; promotion or encouragement of racial discrimination has in practice been prohibited pursuant to the recently adopted amendments to chapter 16, section 8, of the Penal Code."

Article 5 (c)

9. Paragraph 119. By an amendment of the Swedish Constitution, which entered into force on 1 January 1989, Swedish citizens who have been declared by court order to be under legal incapacity also have the right to vote in the elections to the Swedish Parliament. The quotation in paragraph 119 of chapter 3, article 2, of the Constitution should thus now read as follows:

"The right to vote in the elections to the Swedish Parliament is granted to every Swedish citizen who is resident in Sweden. Provisions regarding the right to vote of Swedish citizens who do not have their residence in Sweden shall be laid down by law. A person who has not attained the age of 18 years on or before the day of the election shall not have the right to vote."

Article 7

10. Paragraph 156. In 1986 a new law on the right for immigrant employees to leave of absence for basic courses in Swedish was passed. This law provides the right for such persons to leave of absence for courses in Swedish till they have reached a knowledge of Swedish equivalent to 700 hours of education.
