

SWEDEN 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Kingdom of Sweden is a constitutional monarchy with a freely elected multiparty parliamentary form of government. Legislative authority rests in the unicameral parliament (Riksdag). Observers considered national elections in 2010 to be free and fair. Voters reelected as a minority government the center-right coalition led by the Moderate Party with Fredrik Reinfeldt as the prime minister. The king is the largely symbolic head of state. The prime minister is the head of government and exercises executive authority. Authorities maintained effective control over the security forces. Security forces did not commit human rights abuses.

The main human rights abuses reported during the year included societal discrimination and incidents of violence against members of ethnic and religious minorities and abuse of women and children. While the criminal justice system operated effectively in other respects, authorities subjected a high percentage of pretrial detainees to extended periods in isolation and limited their access to visitors, mail, and exercise.

Other reported problems included use of excessive force by police, trafficking of women and children, discrimination against persons with disabilities, and wage abuse of mainly foreign seasonal berry pickers.

Authorities generally prosecuted officials who committed abuses in the security services or elsewhere in the government.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings. The Swedish Prosecution Authority, a body independent of the police and court systems, investigates killings by the security forces.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices; however, there were reports that police used excessive force.

In 2012 the national prosecutor's office for police cases received 5,600 reports of misconduct. The reports covered officers and civilian police employees, and involved incidents that occurred on active service and outside of work. The majority of the incidents took place while the employee was on duty; of these, 16 percent involved accusations of active duty officers' use of unnecessary violence. Of the cases, 98.4 percent were dropped, mainly due to lack of evidence. Of 53 cases that went to trial in 2005-12, charges were dropped in 27 of the cases. In ordinary criminal assault cases, however, the courts sentenced four out of five defendants.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards, and the government permitted visits by independent human rights observers.

Physical Conditions: According to the Prison and Probation Service, prison and detention centers could hold a maximum of 7,195 prisoners and detainees. In October 2012, 6,619 prisoners and detainees were in custody, of whom 160 were juveniles and 272 were women.

From January 1 through June 13, three persons in prisons or detention centers committed suicide.

Prisoners had access to potable water.

Administration: Recordkeeping on prisoners was adequate. Authorities used alternatives to sentencing for nonviolent offenders, such as intensive supervision with electronic monitoring, conditional sentencing, probation, and community service.

There were no specific prison ombudsmen, but the justice ombudsman, who worked independently from the government, received and handled prisoner complaints. The justice ombudsman could serve on behalf of prisoners and detainees to consider such matters as alternatives to incarceration for nonviolent

offenders to alleviate overcrowding; the status and circumstances of confinement of juvenile offenders; and pretrial detention, and recordkeeping procedures to ensure that prisoners did not serve beyond the maximum sentence for the offense with which they were charged. As of May 30, the justice ombudsman conducted four prison inspections.

Restrictive conditions for prisoners held in pretrial custody remained a problem, although the law includes the possibility of appealing a decision to impose specific restrictions to the Court of Appeals and ultimately to the Supreme Court. According to the Swedish Prison and Probation Service, during the year authorities subjected approximately 50 percent of pretrial detainees to extended isolation or to restrictions on mail delivery or exercise. Authorities stated they took this step when detainees' contact with people outside the detention center could risk destroying evidence or changing witnesses' statements, thereby imperiling a continuing investigation.

Prisoners and detainees not under restrictions had reasonable access to visitors, could attend religious observance, and could submit complaints to several judicial authorities without censorship. Authorities investigated credible allegations of inhumane conditions.

Independent Monitoring: The government permitted monitoring by certain independent, nongovernmental observers. While the national Red Cross and church associations may visit prisoners, they may not monitor or inspect the prisons.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The national police and the national criminal police are responsible for law enforcement and general order within the country. The Security Service is responsible for national security related to terrorism, extremism, and espionage. The Ministry of Justice provides the funding and the letters of instruction for police activities, but it does not control how they are performed. According to the constitution, all branches of the police are independent authorities.

Civilian authorities maintained effective control over the national police and the Security Service, and government authorities had effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment of Detainees

The law requires warrants based on evidence and issued by duly authorized officials for arrests, and the government generally respected this requirement. Police must file charges within six hours against persons detained for disturbing the public order or considered dangerous and within 12 hours against those detained on other grounds. Police may hold a person six hours for questioning or up to a maximum of 12 hours if deemed necessary for the investigation without a court order. After questioning, an individual must be arrested or released based on the level of suspicion. If a suspect is arrested, the prosecutor has 24 hours (or three days in exceptional circumstances) to request continued detention. An arrested suspect must be arraigned within 48 hours, and initial prosecution must begin within two weeks unless there are extenuating circumstances. Authorities generally respected these requirements.

Although there is no system of bail, courts routinely released defendants pending trial unless authorities considered them dangerous or there was a risk that the suspect would leave the country. Detainees may retain a lawyer of their choice. In criminal cases the government is obligated to provide an attorney, regardless of the defendant's financial situation. The law affords detainees prompt access to lawyers and to family members. A suspect has a right to legal representation when the prosecutor requests his detention beyond 24 hours (or three days in exceptional circumstances). The type of crime authorities accused the suspect of committing influenced prompt access to family members. Sometimes authorities did not allow a suspect any contact with family members if police believed it could jeopardize an investigation.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

The constitution provides for the right to a fair trial, and the judiciary generally enforced this right.

Defendants enjoy a presumption of innocence, have a right to be informed promptly and in detail of the charges against them (with free interpretation as necessary), and have a right to a fair, public trial without undue delay. Cases of a sensitive nature, including those involving children, rape, and national security, may be closed to the public. Juries are used only in cases involving freedom of the press or freedom of speech. In other cases judges or court-appointed civilian representatives make determinations of guilt or innocence. Defendants have the right to be present at their trial and to consult an attorney in a timely manner. In criminal cases the government is obligated to provide a defense attorney. Defendants generally have adequate time and facilities to prepare their defense. Defendants can confront or question witnesses against them and present witnesses and evidence on their behalf. Defendants and their attorneys have access to government-held evidence relevant to their cases and are not compelled to testify or confess guilt. If convicted, defendants have the right of appeal. The law extends the above rights to all defendants.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals and organizations may seek civil remedies for human rights violations in the general court system. Citizens can appeal cases involving possible violations of the European Convention on Human Rights by the state to the European Court of Human Rights (ECHR).

Regional Human Rights Court Decisions

The country is party to and subject to the jurisdiction of the ECHR and promptly complied with court orders.

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions.

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 generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and of the press.

Freedom of Speech: The law criminalizes expression considered to be hate speech and prohibits threats or expressions of contempt for a group or member of a group based on race, color, national or ethnic origin, religious belief, or sexual orientation. Penalties for hate speech range from fines to a maximum of four years in prison. In 2012 there were reports of 601 cases of hate speech, equivalent to 11 percent of all hate crimes reported. Out of all hate crimes, 66 percent led to judicial action. Out of these cases, 60 percent were closed, and 6 percent led to prosecution of an individual offense during the year.

Internet Freedom

There were no government restrictions on access to the internet or credible reports that the government monitored e-mail or internet chat rooms without appropriate legal authority. According to the Swedish Institute, 95 percent of residents between the ages of nine and 55 years used the internet on a daily basis.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The constitution provides for freedom of assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Safe Country of Origin/Transit: In accordance with EU law, the government denied asylum to persons who had transited other EU countries or countries with which the country maintained reciprocal return agreements. It returned such persons to those countries, except Greece.

Refoulement: Asylum seekers can appeal rulings of the board to two special migration appeals courts. Unsuccessful asylum seekers can and did appeal their cases to the ECHR.

Durable Solutions: The government authorized financial repatriation support for asylum seekers denied residence in the country in the amount of 30,000 kronor (\$4,600) per adult and 15,000 kronor (\$2,310) per child, with a maximum of 75,000 kronor (\$11,500) per family. In 2012 the government provided repatriation support to 581 persons, most of them of Iraqi origin.

Temporary Protection: In 2012 the Swedish Migration Board provided temporary protection to approximately 17,400 persons who did not qualify as refugees or whose applications for refugee status were being processed.

Stateless Persons

Citizenship is derived from one's parents. According to the UNHCR, there were 9,596 stateless persons in the country in January. The large number related to the influx of immigrants and the birth to stateless parents of children who remained stateless until either one parent acquires citizenship or a special application for

citizenship for stateless children under the age of five. The majority of stateless persons came from the Middle East (the Occupied Territories, Lebanon, Syria, and Iraq) and Somalia.

Once stateless persons are granted permanent residence, they can obtain citizenship through the same naturalization process as other permanent residents. Gaining citizenship generally requires four to eight years, depending on the individual's grounds for residency, ability to establish identity, and lack of a criminal record.

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

The constitution provides citizens the right to change their government peacefully, and citizens exercised this right through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: Observers considered the national elections held in 2010 to be free and fair.

Participation of Women and Minorities: During the year there were 157 women among the 349 parliamentarians. There were 13 women in the 24-member cabinet.

No official statistics on minority representation in government were available because the law prohibits the government from holding information about the racial or ethnic background of its citizens. Media reports stated that the number of immigrant parliamentarians increased in the 2010 elections.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively. A special unit in the prosecutor's office worked on cases involving corruption and initiated 22 investigations in 2012, resulting in the prosecution of 22 persons.

Corruption: The responsibilities of the Swedish Prosecution Authority include prosecuting cases of corruption. The authority is independent of the courts, the police, and all ministries. The authority has proper resources and cooperates with civil society.

Whistleblower Protection: The law provides protection from retaliation to public and private employees for making internal disclosures or lawful public disclosures of evidence of illegality, such as the solicitation of bribes or other corrupt acts, gross waste or fraud, gross mismanagement, abuse of power, or substantial and specific dangers to public health and safety.

Financial Disclosure: Public officials and political parties are subject to financial disclosure laws. The Swedish Financial Supervisory Authority is mandated to monitor and verify disclosures. The declarations are available to the public and there are criminal and/or administrative sanctions for noncompliance.

Public Access to Information: The constitution and law provide for public access to government information, and the government generally granted such access to citizens and noncitizens, including foreign media. The public has the right to access government documents at no cost, within a working day, unless they are subject to secrecy laws, according to which information may be withheld if its release poses a threat to national security or to individual or corporate privacy. The public may appeal such a withholding of information. There are administrative sanctions for noncompliance.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were often cooperative and responsive to their views.

Government Human Rights Bodies: The country has seven national ombudsmen: four justice ombudsmen; the chancellor of justice; the children's ombudsman; and the discrimination ombudsman with responsibility for ethnicity, gender, transsexual identity, religion, age, sexual orientation, and disabilities. There are normally ombudsmen at the municipal level as well. The ombudsmen enjoyed the government's cooperation and operated without government or party interference. They had adequate resources, and observers considered them generally effective.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

While the constitution and law prohibit discrimination based on race, gender, disability, social status, or sexual orientation, the government did not always effectively enforce these prohibitions.

Women

Rape and Domestic Violence: Rape, including spousal rape, and domestic violence are illegal, and the government enforced the law effectively. The law stipulates more severe penalties for repeated crimes and for cases in which the perpetrator had a close relationship with the victim. Penalties range from two to 10 years in prison. The National Council for Crime Prevention (NCCP) reported 6,320 rapes in 2012, the latest year for which data was available, compared with 6,509 rapes in 2011.

The NCCP reported approximately 28,400 cases of assault of women in 2012. Authorities apprehended and prosecuted abusers in most cases.

The law provides for protection of victims from contact with their abusers. When necessary, authorities helped victims protect their identities or obtain new identities and homes. According to official statistics, approximately 12,500 persons, mostly women, were in these programs as of December 2012. Both national and local governments helped fund volunteer groups that provided shelter and other assistance for abused women, and both private and public organizations ran shelters and operated hotlines.

Harmful Traditional Practices: Honor-related violence exclusively involved immigrants from the Middle East or South Asia. Police concentrated on educating police officers and prosecutors to increase their awareness of the problem and to improve its detection and prevention. In 2010 county administration boards used a 36 million kronor (\$5.5 million) grant from the Ministry for Integration and Gender Equality to work against honor-related restrictions. In 2011 the Ministry for Education and Research announced a 9.6-million-kronor (\$1.5 million) addition to the grant. The programs resulted in an extensive effort by the government to improve measures to spread information regarding honor-related circumstances both in schools and in the health-care system.

Sexual Harassment: The law prohibits sexual harassment, and the government generally enforced this law. Criminal penalties for sexual harassment range from a fine or up to two years in prison. The NCCP reported 8,450 cases of sexual harassment in 2012.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, and to have the information and means to do so free from discrimination, coercion, and violence.

Discrimination: Women have the same legal status and rights as men in the judicial system, including under family law, property law, and inheritance law. Significant gender disparities in salaries, especially in male-dominated occupations characterized some sectors of the labor market, including the financial sector and high-ranking positions in both the public and the private sectors. The law requires equal pay for equal work. Women's salaries averaged approximately 86 percent of men's.

The discrimination ombudsman investigated complaints of gender discrimination in the labor market. In 2012 the ombudsman received 507 complaints related to the labor market; 83 percent came from women who alleged gender discrimination. Complaints could be filed also with the courts or with the employer. Labor unions generally mediated in cases filed with the employer.

Children

Birth Registration: Citizenship is derived from one's parents. Children born in the country, regardless of their parents' citizenship and status in the country, are registered in the tax authority's population register.

Child Abuse: Child abuse was a problem. The NCCP reported 18,300 cases of abuse of children under the age of 17 in 2012. It also reported 2,880 cases of rape of children under the age of 18 in 2012 compared with 2,990 reported cases in 2011.

The law prohibits parents or other caretakers from abusing children mentally or physically. 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 police. The usual sentence for such an offense is a fine combined with counseling and monitoring by social workers. Authorities may remove children from their homes and place them in foster care.

The children's ombudsman published a number of reports and publications for children and those working to protect children's rights. The discrimination ombudsman published material throughout the year to prevent discrimination.

Forced and Early Marriage: The minimum age of marriage is 18. The law does not recognize any marriage with an under-aged person unless county councils approve particular circumstances. In 2012 the county councils received 24 applications for under-aged persons to marry and denied all of them.

In 2012 the Swedish National Board for Youth Affairs reported that at least 70,000 young persons living in the country believed their parents, religion, and culture restricted them in their choice of marriage partner. There is a connection between young persons' being the victim of honor-based violence and domination, and being forced into marriage. Some informal and ceremonial marriages were not recorded and do not give any legal rights, but families considered them real. There were also reports of marriages entered into by proxy where at least one of the parties was not present in person at the marriage service but was instead represented by someone else.

Sexual Exploitation of Children: The law criminalizes "contact with children under 15 for sexual purposes," including internet contact intended to lead to sexual assault. Penalties range from fines to one year in prison. The minimum age for consensual sex is 15. The law prohibits child pornography; penalties range from fines to six years in prison.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's country-specific information at www.travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

Leaders of the Jewish community estimated there were 20,000 Jews in the country. The Swedish Commission for Government Support to Faith Communities estimated that there were approximately 9,000 practicing members. As of 2012 the NCCP registered 221 anti-Semitic crimes during the year, compared with 194 in 2011. Anti-Semitic incidents included threats, verbal abuse, vandalism, graffiti, and harassment in schools. In November the European Union's Fundamental Rights Agency released a survey on discrimination and hate crime against Jews in eight EU Member States, including Sweden. Of Swedish Jews 21 percent said that they had experienced anti-Semitic harassment in the past 12 months, while 33 percent stated they had experienced it in the past five years. Government officials

recognized that anti-Semitism was a problem in the country, especially in the city of Malmo.

The NCCP did not see a rising trend in anti-Semitic hate crimes in the country at large and considered the increase to be within the normal year-to-year fluctuation in the number of reports. The city of Malmo was an exception. During the first six months of the year, the NCCP counted 35 anti-Semitic hate crimes in Malmo, compared with 60 such crimes in 2012. Swedish academic experts noted that ethnic and political factors seemed highly intertwined with this increase in reported anti-Semitic acts in Malmo. These incidents were often associated with events in the Middle East and actions of the Israeli government, and Swedish Jews were at times blamed for Israeli policies.

In January a court in Malmo convicted a man of a hate speech crime for giving a Nazi salute in a public park during a soccer game. A court sentenced the man to pay a fine, the first time in three years that a Malmo court convicted someone of a hate crime. In March public prosecutors closed the preliminary investigation of a September 2012 attack against the Jewish Community Center in Malmo, saying there was no evidence to substantiate a hate crime or relation to anti-Semitism.

On August 27, the country celebrated the first Raoul Wallenberg Day in memory of the Swedish diplomat who saved thousands of Hungarian Jews from being sent to concentration camps during the Second World War. The young Iranian-Swede from Malmo, Siavosh Derakhti, who started the movement Young Muslims against Anti-Semitism, was the first recipient of the Raoul Wallenberg Prize, which aims to fight racism and increase understanding between different groups.

The Simon Wiesenthal Center left in place its travel warning first issued in 2010 for Jews traveling in southern Sweden, because Jews in Malmo could be “subject to anti-Semitic taunts and harassment.”

The Swedish Civil Contingencies Agency cooperated with religious communities on a national level to promote dialogue and to prevent conflicts leading to anti-Islamic and anti-Semitic incidents. Representatives from the national unit trained police officers to detect hate crimes and visited high schools to raise awareness of such crimes and encourage more victims to report abuses. The government made available information in several languages for victims of hate crimes and provided interpreters to facilitate reporting. Police hate-crime units existed throughout the country.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

The law prohibits employers from discriminating against persons with physical, sensory, intellectual, and mental disabilities in hiring decisions and prohibits universities from discriminating against students with disabilities in making admission decisions. No other specific law prohibits discrimination against persons with disabilities. The discrimination ombudsman is responsible for protecting the rights of persons with disabilities.

The law does not cover accessibility. Regulations for new buildings require full accessibility, and similar requirements exist for some, but not all, public facilities. Many buildings and some means of public transportation remained inaccessible.

In 2012 the number of reports of discrimination against persons with disabilities in employment, education, access to health care, or the provision of state services decreased to 485 compared with 563 in 2011. Observers reported cases of insufficient access to privately owned buildings used by the public, such as apartments, restaurants, and bars. Those involved handled many complaints through mediation procedures rather than formal court hearings.

National/Racial/Ethnic Minorities

The law recognizes Sami (formerly known as Lapps), Swedish Finns, Tornedalers, Roma, and Jews as national minorities. The law permits and the government supports minority languages. The discrimination ombudsman received 514 complaints regarding ethnic discrimination in 2012 compared with 594 in 2011. Of the complaints, 507 related to the labor market.

Societal discrimination and violence against Arab and Somali immigrants and Roma continued to be a problem during the year.

Police registered reports of xenophobic crimes, some of which related to neo-Nazi or white-power ideology. Police investigated and the district attorney's office prosecuted race-related crimes. Official estimates placed the number of active neo-Nazis and white supremacists at 1,500. Neo-Nazi groups operated legally, but

courts have held that it is illegal to wear xenophobic symbols or racist paraphernalia or to display signs and banners with inflammatory symbols at rallies, since the law prohibits incitement of hatred against ethnic groups.

The government estimated the Romani population at 50,000. In 2010 a special commission reported that a majority of Roma lived as outcasts: The unemployment rate among Roma was 80 percent, elementary education for Romani children was rare, and a Rom's life expectancy was significantly lower than the country's average. In 2012 authorities identified 215 hate crimes directed against Roma.

On September 21, the media reported that the Skane County police had compiled a dedicated database on approximately 4,000 Roma in the country. The ethno-centric database tracked family ties between individuals and appeared to violate the law, the European Convention on Human Rights, and the European Charter of Fundamental Rights. The police involved claimed the database had nothing to do with ethnicity, but that it mapped criminal activity moving across county borders. That many Roma with no criminal records ended up in the registry was due to the mapping of the criminals' contact network, which is legal according to the police. No ethnic markers were in the registry. Police said a large part of the database covered four different clans. On November 15, the Commission on Security and Integrity Protection (SIN), an authority that supervises the use by crime-fighting agencies of secret surveillance, qualified assumed identities, and associated activities, determined that the registry had "several illegal aspects," even if the database did not have ethnic markers. The SIN also concluded there had been no need to add all the names in the database, which Skane County police said was originally put together to keep tabs on Roma. The SIN review looked into a random selection of 1,235 of the 3,413 names on the list who were not children of deceased and found that the original intention was to map social and family networks around persons suspected of crime. The dominance of Romani names could "give the impression" that its sole focus was ethnicity. Two police officers were under investigation for malpractice; penalties range from a warning to up to two years in prison.

In 2011 the government announced a 46-million-kronor (\$7.1 million) supplement to the 2012 budget aimed at improving the situation of Roma over a four-year period. In 2011 the government announced a new 20-year strategy for Romani inclusion, which included a series of proposed measures to improve the condition of Roma in six focus areas: education, work, housing, health and social care,

culture and language, and civil society. The overall goal of the strategy was to equalize the opportunities available to young Roma and non-Roma by 2032.

The discrimination ombudsman handled three mediation and court cases involving Roma after Swedish Radio News reported several instances when Roma tried to rent cars at various gas stations and were told there were no cars available. When the radio reporter asked the same question a little later, cars were available. The most common complaint was against landlords who refused to rent apartments to Roma. Conciliation with financial compensation to the Roma was the most common outcome.

Indigenous People

The approximately 20,000 Sami in the country are full citizens with the right to vote in elections and participate in the government, including as members of the country's parliament. They are not, however, represented as a group in parliament. Sami are also represented by a 31-member elected administrative authority called the Sami parliament. The Sami parliament acts as an advisory body to the government and has limited decision-making powers in matters related to preserving the Sami culture, language, and schooling. The national parliament and government regulations govern the Sami parliament's operations.

Longstanding tensions between Sami and the government over land and natural resources persisted, as did tensions between Sami and private landowners over reindeer grazing rights. Certain Sami have grazing and fishing rights, depending on their tribal history. Sami continued to press the government for exclusive access to grazing and fishing.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

During the year there were isolated incidents of societal violence and discrimination against persons perceived to be lesbian, gay, bisexual, and transgender (LGBT). The NCCP reported 713 hate crimes in 2012 based on sexual orientation or gender identity. Antidiscrimination laws exist and apply to lesbian, gay, bisexual, and transgender individuals.

In December 2012 a Stockholm administrative court of appeal ruled that mandatory sterilization as part of a gender-realignment surgery violated the European Convention on Human Rights. The court also ruled that the practice did

not respect civil liberties as provided for by the constitution and that it was discriminatory since it targeted solely transgender people. Thereby this part of the law became obsolete. On July 1, the formal legal change came into effect when the government removed the requirement of sterilization or that a person needs to be infertile to undergo a sex change.

In November the government announced it awarded 350,000 kronor (\$54,000) to The Swedish Federation for Lesbian, Gay, Bisexual, and Transgender Rights to produce information and education regarding LGBT issues to increase society's knowledge about this group.

Other Societal Violence or Discrimination

The NCCP hate crime report for 2012 counted 310 anti-Islamic hate crimes compared with 280 anti-Islamic hate crimes in 2011. Anti-Islamic behavior targeted both Arab and Somali immigrants. The NCCP stated that crimes against persons and damage of property, including graffiti, were the most common offenses related to religion.

There were no reports of discrimination against persons with HIV/AIDS. In October the Supreme Court revoked a Malmo court's decision to sentence an HIV-infected man to a fine and year in prison after he had unprotected sex with four individuals without informing them about his illness. The man was under treatment for HIV, and none of the four became infected. The Supreme Court made the decision after consulting experts from the Swedish Institute for Communicable Disease Control who stated that the past decade's major medical breakthroughs reduced the risk of catching the disease. The Supreme Court's ruling rendered obsolete the law that penalizes HIV carriers who do not inform partners about their disease.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. Public sector employees enjoy the right to strike, subject to limitations in the collective agreements protecting the public's immediate health and security. The law provides for collective bargaining. The International Trade Union Confederation claimed the law restricts the rights of trade unions representing foreign workers in foreign companies

operating in Sweden to take industrial action. Foreign companies may also be exempt from collective bargaining provided they meet minimum working conditions and pay. The law allows unions to conduct their activities largely without interference and prohibits antiunion discrimination. Penalties for violations differ case by case and are handled by the Labor Court. The procedures were not subject to lengthy delays and appeals.

Workers and employers exercised all these rights, and the government protected them. There were few reports of antiunion discrimination.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, including by children, and the government enforced these laws. There were no reports of forced labor involving children (see section 7.c.). Forced labor involving men and women occurred in agriculture, construction, domestic work, and in the forms of forced begging and theft. In some cases employers or contractors providing labor seized the passports of workers and withheld their pay. Penalties ranged from two to 10 years in prison and were comparable with other serious violations. The number of inspections related to forced or compulsory labor was not provided.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law permits full-time employment from the age of 16 under the supervision of local authorities. Employees under the age of 18 may work only during the daytime and under supervision. Children as young as 13 may work part time or perform light work with parental permission. The government effectively implemented these laws and regulations. There were no reported cases of child labor. Abusing a child in the labor market is a civil matter. Forcing a child into work is considered coercion, deprivation of liberty, or child abuse, which carries a wide range of penalties, including fines and imprisonment. Resources for enforcement were adequate.

Children trafficked from outside the country were subjected to forced begging and petty theft. Police and social services acted promptly on these cases.

d. Acceptable Conditions of Work

There is no national minimum wage law. Annual collective bargaining agreements set wages. By regulation, employers, whether foreign or domestic, must offer conditions of employment on par with the country's collective agreements. Nonunion establishments generally observed these contracts as well. A foreign company providing berry pickers to Swedish companies must have a branch registered in the country to guarantee the conditions of employment. The foreign labor broker must also show how it expects to pay workers in case of limited work, for example, a bad berry harvest.

The legal standard workweek is 40 hours or less. The labor law and collective bargaining agreements regulate overtime and rest periods. The maximum overtime per year allowed by law is 200 hours, but compensation for overtime could take the form of money or time off and was determined by the collective agreement. The law requires a minimum period of 36 consecutive hours of rest, preferably on weekends, during a period of seven days. The law also provides employees with a minimum of five weeks' paid annual leave. The Swedish Work Environment Authority, a government agency, effectively enforced these standards. In 2012 the authority made 32,000 labor inspections. The authority employed approximately 260 inspectors around the country. The country did not fulfill the International Labor Organization's standard of one labor inspector per 10,000 employees. During the year the country had 0.6 inspectors per 10,000 employees.

The Work Environment Authority issued occupational health and safety regulations, and trained union stewards and safety ombudsmen whom government inspectors monitored. Safety ombudsmen have the authority to stop unsafe activity immediately and call in an inspector. The authority effectively enforced these rules.

Many foreign seasonal workers, including berry pickers from Asia and Bulgaria, faced harsh conditions of work, including the seizure of passports, withholding of pay, and poor living and working conditions.

As of August there were 18 workplace fatalities during the year, compared with 45 in 2012.