

**ALTERNATIVE REPORT**

TO SWEDEN'S 19<sup>TH</sup>, 20<sup>TH</sup> AND 21<sup>ST</sup>  
PERIODICAL REPORTS TO THE  
COMMITTEE ON THE ELIMINATION  
OF RACIAL DISCRIMINATION

*SUBMITTED BY THE AFRO-SWEDISH  
NATIONAL ASSOCIATION, AUGUST 2013*



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ALTERNATIVE REPORT TO SWEDEN'S 19TH, 20TH AND 21ST PERIODIC  
REPORT TO THE COMMITTEE ON THE ELIMINATION OF ALL FORMS OF  
RACIAL DISCRIMINATION – SUBMITTED BY THE AFRO-SWEDISH NATIONAL  
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## FOREWORD

This alternative report is the Afro-Swedish National Association's response to the Swedish government's nineteenth, twentieth and twenty-first periodic reports to the United Nations Committee on the Elimination of Racial Discrimination, hereafter (the Committee).

The Afro-Swedish National Association (Afrosvenskarnas Riksförbund, ASR) is a humanitarian and cultural non-governmental organisation established in 1990. The association consists of six regional branches through out the major Swedish cities and has the purpose to promote the equal rights and social wellbeing of Africans and people of African descent living in Sweden. The number of Africans and people of African descent amount to approximately 200 000, representing 2 per cent of the Swedish population of 9,6 millions.

Africans and people of African descent are most affected by racial discrimination in Sweden. Considering this, it is indeed remarkable that our plight and our voices have not been given adequate space in the Swedish government's previous periodic reports including the one we are responding to now.

The cause for concern has grown more acute as the economic segregation, i.e. economic disparities along racial lines, is not decreasing but on the contrary increasing unabatedly in every area of life.

It is therefore ASR's ambition to through the submission of this report, draw the Committee's attention to our main concerns regarding the Swedish government's failure to meet its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination, hereafter the Convention.

The structure of this report follows the structure of the articles in the Convention and includes ASR's main concerns and recommendations under each article. Issues regarding Articles 3 and 5 are raised jointly as they are closely interrelated. Recommendations for Article 4 have been omitted at this time, as we view the failures of the Swedish government to comply with the Convention to be most acute regarding the other Articles.



## COMMENT ON RACE

On 1 January 2009, the new Discrimination Act entered into force with the term race deleted. Two years later, on 1 January 2011, the term was subsequently deleted from the Instrument of Government. It is with great concern that we are witnessing the Swedish government's determination to unilaterally eliminate the term race.

The ideology of racism is based on the categorisation of people into permanent groups that are positioned in a hierarchy. The grounds of categorising have shifted through history and have included sociocultural, religious, biological, pseudo scientific, and cultural characteristics.

Race has yet not been eradicated as a social construction, despite the legitimacy of the biological and pseudo scientific grounds of racial classification having been phased out since their peak during the Second World War.<sup>1</sup> On the contrary, race is a factor that continues to be a significant determinant of a persons living condition globally, and Sweden is no exception.<sup>2</sup>

We believe that in order to eliminate racial discrimination there needs to be a de-construction of racial hierarchy before removing race as a category for consideration, lest the strive will be doomed to chase the on-going mutations of racism i.e. ethnicism<sup>3</sup>, anti-Muslimism etc. The position of the ASR is in line with widely accepted research and scholarly discourse on race, and also reflects a number of international accords signed by Sweden, including the International Convention on the Elimination of All Forms of Racial Discrimination.

*Samson Beshir,*  
**Lead author**

1. Heng, G., *The Invention of Race in the European Middle Ages I: Race Studies, Modernity, and the Middle Ages*. 2011
2. Hülbinette, T., et. al. (red), *Om ras och vithet i det samtida Sverige*, 2012
3. Motturi, A., *Ethnicism - An Essay on Multiculturalism, Silence, and the Craving for Meaning*, 2014 (originally published 2007 in Swedish as *Emotism: En Essä om Mångkultur, Tystnad och Begäret Efter Mening*).  
The term ethnicism is, as described by Motturi, a neologism that names the specific contemporary type of difference-thinking that is based on a discourse of ethnicity.

## ARTICLE 2: GENERAL MEASURES TO COUNTERACT RACIAL DISCRIMINATION

### POPULATION DATA

1. The problem with the data presented in the government's report is shared with most national policies on the elimination of racial discrimination in Sweden – they all disregard race as a crucial factor.

2. According to paragraph 5 in the Government report, “the Government has instructed the Equality Ombudsman to undertake a preliminary study of methods for determining the population's composition and living conditions”, and the study “is to examine what methods could be used to collect data on living conditions among the population.”<sup>4</sup> One of the central conclusions of the study is that data can be collected according to the requirements of the International Convention on the Elimination of all form of Racial Discrimination, (hereafter, the Convention), given that it is carried out in a way where certain protective measures are taken.

3. The study also concludes that a prerequisite for a meaningful national discussion on discrimination and equality is collecting qualitative and quantitative data that can shed light on the form and extent of discrimination, making campaigns and other awareness-raising activities formulated and enforced in a relevant and adequate manner.<sup>5</sup>

4. As place of birth is misleading in regards to having a clear understanding of along what lines the dominant division of access to resources has lied and still lies,<sup>6</sup> and given the overwhelming international research, not to mention the very basis of the Convention and other international accords that the State party has adopted or otherwise obligated itself to comply with – data disaggregated according to race is required, and should not be disregarded.<sup>7</sup>

### THE DISCRIMINATION ACT

5. On 1 January 2009, the new Discrimination Act (Swedish Code of Statutes 2008:567) entered into force. On 1 January 2011, the term race was deleted

4. Sweden's 19th, 20th and 21st periodic report to the CERD, p.5

5. Statistikens roll i arbetet mot diskriminering – en fråga om strategi och trovärdighet. (A2011/4415/disk).

6. Kindly view the statistics presented in this reports chapter on segregation.

7. European Union Racial Equality directive (2000/43/EC), Durban Declaration and Programme of Action etc.

from the Instrument of Government. It is with regret that we witness that race has been made invisible as a central basis of discrimination. It is also of no consolation to those of us discriminated against on the basis of race that the law assumes that all people belong to one and the same race – the human race.<sup>8</sup> On the contrary, it is cause for grave concern that legislators seem to believe that the racial body is an effect of biological truths as opposed to a socially constructed category that continues to play a pivotal role in determining the living conditions of Swedes.<sup>9</sup>

## GOVERNMENT'S SUPPORT TO ORGANISATIONS

6. Ethnically based organisations receive annual grants from the National Board for Youth Affairs. This support is meant to strengthen the recipient or agenda on culture, identity and language. In 2012, ethnic organisations received approximately 18904998 SEK for 315598 members. This allocation granted each member 60 SEK for the year. During the same year, LGBT-organisations were allocated 6297994 SEK for 4525 members to achieve similar aims, which makes about 1400 SEK per member - 23 times more than what was granted to ethnically based organisations.<sup>10</sup>

7. Another factor is the government grant for organisations that represent national minorities other than Sami, administered by the County Administrative Board of Stockholm. Organisations for national minorities are not required to report on how many members they have. In 2011, eleven organisations applied for grants and all were granted funding. This should be compared with the fact that 60 organisations shared the funding for ethnically based organisations. This discrepancy needs to be rectified in order to achieve parity and equal opportunity for all organisations coming to terms with the problems regarding discrimination. We strongly believe that civil society needs to be consulted in the measures that need to take place in order to come to terms with structural racial discrimination.


## POSTIVE ACTION MEASURES

8. The government's comments in its report (paragraph 62-67) on the CERD's encouragement stated in paragraph 13 of its conclusions from 2008 are far from satisfactory. It seems that the government is guided by a false sense that

8. Sweden's 19th, 20th and 21st report to the Committee, 2012, § 37.

9. Hülbinette, T., et. al. (red), Om ras och vithet i det samrda Sverige, 2012

10. Ungdomsstyrelsen, Statsbidrag HBT-personer resp. Etniska organisationer 2012.



meritocracy is prevalent. This is commonly expressed through the implication that positive action measures go against the fundamental principal of justice and that people should be rewarded according to their efforts.

9. The problem with the notion of meritocracy is that, in reality, people are not being rewarded according to their efforts. On the contrary there have been positive action measures in place for many years that, albeit informal, privilege certain groups - primarily white, upper and middle-class males. This is better known as structural discrimination. It is this informal positive action measure that temporarily needs to be balanced with a formal one to even out the scales, as is stated in the Convention.

#### **PARTICIPATION IN THE DURBAN PROCESS**

10. The Durban Declaration and Programme of Action, (DDPA) represents a tremendous achievement for People of African Descent and the recognition of their rights. The DDPA was adopted by consensus by the UN member states present and was acclaimed by victim groups of racism, including Africans and African descendants in Sweden.

11. Sweden participated in the 2001 World Conference Against Racism, (WCAR), as well as the 2009 Review Conference and the 2011 High-level Meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the DDPA. Unfortunately, the official Swedish follow up to the WCAR has been far from satisfactory.

12. The final document from the World Conference has never been translated into Swedish nor has the output been disseminated. This differs from standard Swedish practice after important UN conferences, and also contradicts General Recommendation XXVIII of the follow up to the WCAR I (h) where the Committee recommended states to disseminate the DDPA and *"provide the Committee with information on the efforts in this respect under the section of their periodic reports concerning article 7 of the Convention."*

13. All requests for support to publish a Swedish edition of the DDPA have been met with refusal. Furthermore, the English-language DDPA booklet is practically unavailable in Sweden's public libraries. In addition, neither out-





come document from the 2009 Review Conference, nor the 2011 High Level Meeting have been translated and disseminated.

**14.** In its 2008 concluding observations, the Committee asked the Swedish government to participate actively and comprehensively in the Durban Review Conference; however, this participation differed from the normal Swedish practice of supporting Swedish NGO participation in such conferences. It is also worth noting that Sweden did take a role in the planning and did participate at the World Conference Against Racism, as well as the Durban Review Conference. On the contrary, there has been very little effort to live up to the requirements to the DDPA or to Sweden's obligations to conduct follow-up activities to the WCAR.

**15.** Indeed one could even question Sweden's commitment to the DDPA. For example, at an information meeting for NGOs prior to the Durban review conference, a representative of the foreign ministry undermined the legitimacy of the DDPA by stating that it had been forced through by the developing countries and that the Swedish target for the 2001 WCAR had been to have the concept of racism replaced with discrimination. While Sweden did participate in the 2009 Durban Review Conference, its attitude towards the process was negative towards Swedish NGO efforts in support of the conference.

**16.** In our view the willingness and sincerity in supporting the Durban process must be seen as the litmus test for assessing a country's adherence to the Convention.

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## RECOMMENDATIONS

*We suggest the State party to*

**actively** and comprehensively participate in the Durban follow up mechanisms of the United Nations, including the Working Group of Experts on People of African Descent, as well as provide support to ngo participation in these mechanisms.

**actively** and positively inform the public on the Convention and the DDPA and its follow up process and widely disseminate Swedish translations of these key documents.

**increase** state grants to ethnically based organisations to levels comparable to those of other organisations with the purpose to promote and accommodate the interest of minorities.

**comply** with the Committee's recommendation by providing official statistics on the composition of the population so that more can be known about the causes, extent, nature and effects of racial discrimination in Sweden. It will take additional examination and dialogue with minority groups before settling on appropriate methodological approaches, however, the government is well advised to heed the recommendations from the Equality Ombudsman's preliminary study of methods for determining the population's composition and living conditions when complying with the requirements of the Convention.

**comply** with the Committees recommendations by adopting and implementing positive action measures regarding race to the same extent that is currently allowed in regard to gender concerning working life, higher studies and government agencies.

## ARTICLE 3 & 5: SEGREGATION & EQUALITY BEFORE THE LAW

### RESIDENTIAL SEGREGATION

17. The three Swedish metropolitan areas, Stockholm, Gothenburg and Malmö show segregation indexes that are extreme in a Western context to the extent that values are comparable to the sharp segregation between Roma and non-Roma in many Central and Eastern European cities.<sup>11</sup> As evident in the statistics below, there is a division of not only the type of residence but also the area of residence.

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#### *Percentage living in owned homes including condominium in Capital Stockholm divided in region of background.*<sup>12</sup>

Sweden	52%
Western Europe	44%
Eastern Europe	35%
Latin America	25%
Middle-East	17%
Sub-Saharan Africa	8%

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#### *Percentage living in rental apartments*

Sweden	31%
Western Europe	40%
Eastern Europe	53%
Latin America	64%
Middle-East	75%
Sub-Saharan Africa	85%

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#### *Percentage living in Stockholm County neighbourhoods having 30 per cent immigrants or more divided in place of birth.*<sup>13</sup>

Total Stockholm County	18%
Sweden	12%
Rest of Nordic countries	19%
Rest of Western Europe	20%
Eastern Europe	37%
Latin America	39%
Middle-East	61%
Sub-Saharan Africa	63%

11. Hübinette, T., et. al. (red), Om ras och vithet i det samrida Sverige, 2012

12. Brämä, A., et. al, Bostadsmarknadens institutioner och grindvakter i den etnisk segregerade staden – exemplen Stockholm och Uppsala. 2006

13. GeoSweden database

18. Even with the current use of categories there can be no serious doubt that race is an important factor in the lines of division. However, one could draw sharper, unmasked and more relevant conclusions regarding the line of division and the extent of it if data based on race had been available. This, in turn, will enable the State party to adopt sharper and more relevant policies to remedy racial inequalities.

### EMPLOYMENT SEGREGATION

19. Sweden is the developed country where the disparity regarding access to employment between natives and foreign born is the largest, 15%.<sup>14</sup> As in the case with residential segregation, the discrepancy becomes even sharper when comparing native Swedes with African born Swedes. Foreign born in the Swedish labour market<sup>15</sup>

#### *Unemployment divided by place of birth*

Sweden	7,1%
Rest of Europe	10%
South America	14%
Asia	22%
Africa	25%

#### *Unskilled low wage employment among males divided by place of birth*

Sweden	4,3%
Rest of Nordic countries	5,3%
Rest of Europe	9,9%
North America	9,4%
Asia	12,7%
South America	17,0%
Africa	20,1%

#### *Employment with leading positions among males divided by place of birth*

Sweden	8,4%
Rest of Nordic countries	7,5%
Rest of Europe	4,2%
North America	5,7%
Asia	2,8%
South America	2,3%
Africa	1,7%

14. International migrations outlook, Organisation for economic co-operation and development, 2011

15. Eriksson, S., Utrikes födda på den svenska arbetsmarknaden, Regeringskansliet, 2011

16. Ibid.



**20.** This difference cannot successfully be attributed to merely immigration as, despite a slight decrease in difference, the pattern still applies amongst immigrants with a longer duration in Sweden, and even amongst mixed, adoptees and second generation Swedes.<sup>16</sup>

**21.** To concretise further, the statistics presented below provide an insight into the situation of male immigrants that have arrived to Sweden before the age of 16 and attained a university degree. These figures also present the situation for second-generation Swedes with parents born in Africa, Asia or South America.

<i>Place of birth</i>	<i>Wage difference</i>	<i>Average years of education</i>	<i>Over-educated</i> <sup>17</sup>
Sweden	(norm)	12,3	26%
Horn of Africa	-19%	12,3	37%
Chile	-17%	11,9	35%
Turkey	-16,5%	11,6	47%
MENA <sup>18</sup>	-15,5%	12,6	45%
2 <sup>nd</sup> generation	-14,5%	12,9	45%

**22.** In conclusion, in comparison with males with a Swedish background, Afro-Swedish males are:


- three times more likely to be unemployed,
- five times more likely to have an unskilled low wage employment,
- five times less likely to have an employment with a leading position,
- seven times less likely to own his home,
- six times more likely to live in an area with other immigrants

**23.** Even when born here, a Swedish man of African descent is twice as likely to hold an employment he is over-qualified for, and will be paid 15-20 per cent less than a colleague that have native born parents.

**24.** In any other country that has made a commitment to take racial discrimination issues seriously, these figures would awake a sense of urgency. Regrettably, in Sweden, the obvious disparities along racial lines are not even

17. Over-qualified or over-educated for the position that they currently are holding, an indicator of a lack of opportunity for advancement (glass ceiling)

18. Middle-East and North Africa.



a subject that is included in the debate. This is a telling example of how the governments disregard of race as a crucial factor manifests itself as a counter-productive stance.

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## RECOMMENDATIONS

*We suggest the State party to*

**take** immediate steps to restore race as a ground of discrimination, in compliance with obligations of the Convention, relevant parts of the Durban Declaration Programme of Action and the European Union Racial Equality Directive, and as a result take steps to combat the economic segregation in society that goes along racial lines.

**adopt** reforms based on the extensive research put forward in two Swedish Official Government Reports: The Blue and Yellow Glass House: Structural Discrimination in Sweden (SOU 2005:56) and The Black Book of Integration: An agenda for Equality and Social Cohesion (SOU 2006:79).

## ARTICLE 6: THE RIGHT OF EFFECTIVE LEGAL REMEDIES

### PENAL LAW

#### *Alarming rate of hate crimes*

25. According to the latest report on hate crimes by the Swedish National Council for Crime Prevention (Brå), there were 940 reported cases in 2012 that were identified to have Afrophobic motives. This represents an increase of 17 per cent compared to 2011 and an increase of 24 per cent compared to 2008. Afrophobic hate crimes accounted for 25 per cent of the racially motivated reports in 2012 despite that Africans and people of African descent only constitute 10 per cent of non-white Swedes, and even less of the total victim groups of hate crimes. Hate crimes motivated by Afrophobia are also disproportionately violent when compared with hate crimes motivated by other reasons. Public spaces were the most common crime scene for Afrophobic hate crimes, (22 per cent), and a relatively high proportion were committed in the victim's workplace (14 per cent). In over half the cases (56 per cent) the perpetrator was unknown to the victim.<sup>19</sup>

26. Only 8 per cent of the reports of Afrophobic hate crimes led to an investigation that tied a person to the crime by indictment, order of summary punishment or prosecution, including when the defendant subsequently is acquitted at trial.<sup>20</sup>

27. The increase of Afrophobic hate crimes by 24 per cent, in contrast to the 6 per cent overall decrease of hate crimes during the same period, calls for special measures to halt this dangerous development.


### CIVIL LAW

#### *Application of The Discrimination Act*

28. The upholding of the Discrimination Act, a civil law, requires the wronged to be able to litigate. It is however not easy for a natural person to litigate against a legal person as the latter often has more experience and resources to litigate. Litigation also constitutes an economic risk, as the losing party in civil law cases is liable to pay both parties litigation costs. In light of the fact that penalty compensation in discrimination cases is low in Sweden in compari-

19. Brå, Hatbrott 2012 – Statistik över brott med identifierade hatbrottsmotiv

20. Ibid.



son to international standards, with sums varying from 15 000-60 000 SEK, current legislation is in a sense acting as a deterrent for a wronged person to claim his or her rights rather than a deterrent to discriminate.

**29.** In a report to the government, The Equality Ombudsman called for measures to encourage other actors to litigate in discrimination cases.<sup>21</sup> Amongst the recommendations was the setting up of a fund in order to provide financial assistance to individuals and associations to litigate in discrimination cases, and an increase of resources granted to non-governmental anti-discrimination agencies. The Equality Ombudsman also calls for a strengthened legal aid system. We concur with the Equality Ombudsman's assessment that all these measures should be put in place in order to make proper use of the Discrimination Act.

21. Ärende LED 2012/54, Bättre möjligheter att driva diskrimineringsmål. 2012





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## RECOMMENDATIONS

*We suggest the State party to*

**allocate** resources to the police and prosecution authority earmarked to address the alarming rates of afrophobic hate crimes.

**raise** the penalty compensation to a level that constitutes more of a deterrent factor.

**implement** the recommendations of the Equality Ombudsman to:

- i. **create** a process fund from which individuals or associations can apply for money to fund the operation of major discrimination disputes in court,
- ii. **strengthen** the resources of anti-discrimination offices and providing ample support to NGOs to litigate on behalf of their members,
- iii. **strengthen** the legal aid system,
- iv. **create** conditions to improve the extension of legal protection provided through home insurances to include litigation of discrimination cases,
- v. **oversee** the rules on litigation costs

## ARTICLE 7: EDUCATIONAL POLICIES

### RECOGNITION AND REMEMBRANCE OF PAST ATROCITIES AND THEIR LEGACIES

30. The Swedish report gives prominent role to the government agency "Living History Forum." The Forum commands considerable resources for research, outreach and education based on a concept of the unique centrality of the Second World War holocaust for the understanding and education against racism and discrimination.

31. By contrast, no similar efforts or support exists for research, outreach and education on the crimes against humanity related to the ideology of racism, the transatlantic slave trade and colonialism. A small-scale programme that was initiated in 2007 by the now disbanded Delegation for Human Rights in Sweden on slavery and the Swedish role in the slave trade quickly evaporated. There is a lack of willingness or initiative to restore the programme and no support for NGO efforts for education and outreach on slavery and colonialism is available.

32. This atmosphere of denial and total imbalance with regard to investment, education and public recognition of the considerable role of Sweden in the transatlantic slave trade and the construction of the ideology of racial thinking to be at odds with a good faith implementation of the Convention and relevant parts of the Durban Declaration and Programme of Action.

### RECENT ALARMING EVENTS

#### *Assault on the African personality by Cabinet Minister*

33. In 2012, an art installation purported to highlight the issue of genital mutilation ended in a racist spectacle. A cake; shaped as a life-size female naked torso with glossy black icing, red sponge cake on the inside and the artist of this creation painted in stereotypic minstrel Black face juxtaposed to the torso cake was put on display. The Minister of Culture, Lena Adelsohn Liljeroth,



was the first one to cut the cake from the section that was the vaginal area. The artist then howled in an animalistic manner when she cut the area of the cake representing the genitals while she and the other guests were laughing, as if there was something to be amused by.

34. The entertainment factor of this display can be discussed but there is no question that a racist factor is imminent as well as disrespect and continuing dehumanisation of Black women. This action has been strongly condemned due to its racist nature, both on a national and an international level. It was widely seen as an assault on the global African personality thus legitimizing atrocious racism against African and Afro-descendant women.

35. The Afro-Swedish community strongly protested and called for the resignation of the minister. This created a media frenzy as well as a debate regarding the minister's responsibility. Neither, she nor the Prime minister felt the need to address the demand of resignation, instead the minister of culture stressed the importance of free speech and expression, as if it was under threat somehow.

### THE AUTHORITIES FAILURE TO ADDRESS THE RACIAL PERSECUTION IN FORSERUM

36. In the town Forserum, several families of Somali origin had been the victims of systematic Afrophobic discrimination and violence. Over several years, their homes, places of worship and gatherings were vandalised, and the threat of violence reached a point where parents kept their children home from school out of concern for their safety. Out of 160 Somali-Swedes, 95 of them eventually fled Forserum.<sup>22</sup>

37. The families reported this on-going violence but the police and other authorities did not take adequate measures. It wasn't until the story broke in the media that things started to happen.

38. The Minister of Justice, Ms Beatrice Ask, called the events individual cases that thus did not merit the involvement of the government in ensuring

22. Somalier uppmanas att flytta efter hot, SVT-nyheter, 2012-08-21 <http://www.svt.se/nyheter/regionalt/jonkopingsmytt/somaliska-barn-tas-ur-skolan>

the affected community their rights to education, freedom of association, personal security and the right to practise their religion. The Minister even refused to start an independent inquiry to study if and how the state failed in its responsibility.

### REVA

**39.** REVA is a collaboration between the Police, the Probation Service and the Immigration Service. It aims to increase efficiency and certainty in the law enforcement process regarding the execution of deportations of persons residing in Sweden without a permanent resident permit, also known as irregular immigrants. A part of this project is an internal immigration control that the police are to conduct. The Police are to stop people only when suspicion is well-founded and under objective circumstances.

**40.** In order to bypass the requirement of having a well-founded cause to suspect someone for a crime in order to stop and search, the police started to target people in the Metro. People would be asked whether they had a valid Metro ticket as failing to have one would constitute a breach against the law, which thus would entitle the Police to ask for documents that could verify that the person is in the country legally. Despite already standing on shaky legal premises, this conduct was furthermore in effect racial profiling. It targeted non-whites and nine out of ten stopped and controlled were not irregular migrants.<sup>23</sup>

**41.** Due to the huge public outcry against these obvious acts of racism the Police chose to discontinue targeting and stopping suspects in the Metro. It is however important to point out that the Police made it clear that they did not acknowledge that the method constituted racial profiling. The reason for the discontinuation was instead explained by the Police as that the public opinion took away focus from the good job they do.<sup>24</sup>

23. Sveriges Radio, Nyheter P4 Stockholm, 2013-02-25

24. Sveriges Radio, Ekot, 2013-03-08



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## RECOMMENDATIONS

*We suggest the State party to*

**set up** an inquiry to find out if and how the local authorities in Forserum failed to live up to their obligations to the local Somali Swedish community; especially with regards to respecting the rights to personal security, education, effective legal remedies and the right to religious freedom. Then, if needed, the government should take all necessary measures to make sure human rights abuses are discontinued and that the affected parties get redress for their grievances.

**apologise** for the racist assault on the African personality by the Minister of Culture.


**recognise** the immense difficulty to combat structural and institutional discrimination with only case law and therefore create a commission dedicated to monitoring how the Swedish Public authorities promote racial equality and prevent discrimination while carrying out their functions.

**establish** a closer, clearer and more structured cooperation and consultation with the NGOs representing the groups targeted by discrimination.

*This should include:*


- i. inclusion in the aforementioned commission,
- ii. an obligation for the State party to consult with organisations representing groups that would be affected by any reform, policy change or similar measure and,
- iii. a raise of grants for these purposes.

**commence** a mass education endeavour against racism with



the purpose to make Sweden's role in the development of racial thinking and the transatlantic slave trade as well as a basic understanding of the nature of structural and institutional racial discrimination, household knowledge. The endeavour should be pursued in close consultation with the Afro-Swedish National Association and include:

- i. political manifestations and support by the state bodies and outspoken support from the Prime minister, including but not limited to the commemoration of important anniversaries such as 25 March, the International Day of Remembrance for the Victims of Slavery and the Transatlantic Slave Trade and October 9th the Day of the Abolishing of Swedish Colonial Slavery,
- ii. authoring a book on the history and development of racial thinking, beginning from the transatlantic slave trade to its modern day expression; structural racial discrimination, with a focus on Sweden's role,
- iii. mass promotion and distribution of the aforementioned book, translated to English and a number of languages that are spoken amongst immigrants in Sweden, to every household with children in school age,
- iv. creation of a dedicated website,
- v. articulation of a plan to target parents,
- vi. support to Afro-Swedish and other NGOs research and information work on the Swedish role in the development of racism as an ideology, the transatlantic slave trade, colonialism and structural racism, including support for publications, public seminars and conferences,

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- vii. education material that targets school students, including written material, documentary, and a recommendation list of available sources of information
  - viii. pedagogical idea material targeted to school teachers,
  - ix. educational campaigns in cooperation with Universities and the Swedish Adult Education Association,
  - x. establishing a museum on the history and development of racial thinking beginning from the transatlantic slave trade to its modern day expression through structural racial discrimination with a focus on Sweden's role.
  - xi. international co-operation

## APPENDIX

### INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION, (ICERD)

Adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965 entry into force 4 January 1969, in accordance with Article 19

[...]

#### Article 1

1. In this Convention, the term "racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

2. This Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State Party to this Convention between citizens and non-citizens.

3. Nothing in this Convention may be interpreted as affecting in any way the legal provisions of States Parties concerning nationality, citizenship or naturalization, provided that such provisions do not discriminate against any particular nationality.

4. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.

#### Article 2

1. States Parties condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, and, to this end:

a) Each State Party undertakes to engage in no act or practice of racial

discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation;

b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations;

c) Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists;

d) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization;

e) Each State Party undertakes to encourage, where appropriate, integrationist multiracial organizations and movements and other means of eliminating barriers between races, and to discourage anything which tends to strengthen racial division.

2. States Parties shall, when the circumstances so warrant, take, in the social, economic, cultural and other fields, special and concrete measures to ensure the adequate development and protection of certain racial groups or individuals belonging to them, for the purpose of guaranteeing them the full and equal enjoyment of human rights and fundamental freedoms. These measures shall in no case entail as a consequence the maintenance of unequal or separate rights for different racial groups after the objectives for which they were taken have been achieved.

#### Article 3

States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.

#### Article 4

States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:



a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

#### Article 5

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

a) The right to equal treatment before the tribunals and all other organs administering justice;

b) The right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution;

c) Political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

d) Other civil rights, in particular:

- I. The right to freedom of movement and residence within the border of the State;
- II. The right to leave any country, including one's own, and to return to one's country;
- III. The right to nationality;
- IV. The right to marriage and choice of spouse;
- V. The right to own property alone as well as in association with others;

VI. The right to inherit;

VII. The right to freedom of thought, conscience and religion;

VIII. The right to freedom of opinion and expression;

IX. The right to freedom of peaceful assembly and association;

e) Economic, social and cultural rights, in particular:

I. (i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration;

II. (ii) The right to form and join trade unions;

III. (iii) The right to housing;

IV. (iv) The right to public health, medical care, social security and social services;

V. (v) The right to education and training;

VI. (vi) The right to equal participation in cultural activities;

f) The right of access to any place or service intended for use by the general public, such as transport hotels, restaurants, cafes, theatres and parks.

#### Article 6

States Parties shall assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination which violate his human rights and fundamental freedoms contrary to this Convention, as well as the right to seek from such tribunals just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

#### Article 7

States Parties undertake to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups, as well as to propagating the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the United Nations Declaration on the Elimination of All Forms of Racial Discrimination, and this Convention.





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