



Country report 2024 on anti-discrimination: highlights



Sweden



Historical and Demographic Changes:

Sweden has shifted from being seen as an ethnically homogenous country to one characterised by diversity due to labor migration since the 1950s and refugee arrivals since the 1970s. As of 2023, of the total population of 10.55 million, 20.6% are foreign-born.



Discrimination and Exclusion:

Ethnic minorities, particularly racialised groups such as Roma, Muslims, and Afro-Swedes, face significant discrimination. The negative impacts of racism and discrimination are well-documented, especially in the labour market.



Religious Diversity and Secularism:

Sweden is largely secular, yet most people belong to the Lutheran church. Issues of religious discrimination have emerged, particularly affecting those perceived to be Muslims, due to physical markers like name or skin color.



Legislative Evolution:

Anti-discrimination laws have evolved from the 1970s criminal provisions against racial and religious discrimination to more comprehensive civil laws in the 1990s. These laws initially addressed different discrimination grounds separately, creating equality silos.



Consolidation of Laws:

In 2008, Sweden consolidated seven laws into the Discrimination Act, covering all the grounds of EU law as well as transgender identity and expression. The Equality Ombudsman (DO) was established to oversee enforcement.



Material Scope and Limitations:

Despite an otherwise broad material scope, the Discrimination Act does not cover discriminatory actions by public officials in their official duties, such as police officers or judges.



Enforcement Mechanisms:

Victims of discrimination can approach the DO, unions, or NGOs. However, the 'loser-pays' rule deters many from pursuing legal action due to financial risks. NGOs are beginning to adopt strategic litigation to enforce laws and promote societal change.



Equality Ombudsman (DO) Role:

The DO's mandate includes investigating complaints, providing advice, and taking cases to court. Since 2020, there has been a shift towards more active enforcement of individual claims, although results in terms of case law are still developing.



Challenges in Legal Culture:

Sweden's legal culture has traditionally not emphasised the enforcement of individual rights. The procedural hurdles, lack of case law, and the disparity in legal power between victims and those with the power to discriminate hinder effective enforcement.



Future Concerns and Political Climate:

The political climate post-2022 elections, with a coalition dependent on an extreme right party, raises concerns about potential weakening of anti-discrimination laws. Ensuring effective enforcement of the Discrimination Act and improving access to justice remain critical challenges.