

SECURITIZATION

Sweden received three recommendations concerning counter-terrorism measures in the previous cycle of the UPR. Civil society actors, the Swedish Bar Association, academic institutions and courts have regularly raised concerns that Swedish counter-terrorism legislation is not sufficiently clear and precise to comply with international standards. The criticism has had little effect, and there is a lack of analysis of the implications of the new counter-terrorism legislation on fundamental rights. As shown in a study commissioned by Civil Rights Defenders, counter-terrorism activities by law enforcement are an area where minorities, particularly the Muslim minority, experience racial and ethnic profiling.

In 2023, an amendment to the Constitution entered into force that makes it possible to limit the freedom of association for associations engaging in or supporting terrorism. Moreover, a new provision in the Terrorist Crime Act entered into force in June 2023 and states that “anyone who participates in the activities of a terrorist organisation in a way that is intended to promote, strengthen or support the organisation” has committed the crime of participation in a terrorist organisation.

The Council on Legislation expressed firm criticism of the proposed legislation and stated that there was a clear risk of the criminalisation being excessively far-reaching. Its recommendation was that the legislation should not be adopted. Additionally, four of the UN Special Rapporteurs have questioned whether the new crime is compatible with fundamental human rights and basic rule of law requirements. Notably, another amendment to the Constitution is underway, limiting freedom of association for associations engaging in a criminal organization – as a first step in criminalising this too.

Recommendation

- Take steps to ensure that counter-terrorism legislation and practices are in full conformity with fundamental human rights, and that it does not have an adverse effect on minority communities in terms of racial and ethnic profiling or stigmatisation.
- Amend the Terrorist Crime Act and take into consideration the views of the Council on Legislation and the UN Special Rapporteurs.



← READ OUR
FULL REPORT

If you have questions or are curious to learn more,
reach out to us on legal@crd.org.