

To the ICCPR Human Rights Committee State review procedure concerning Sweden
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KISAM Mothers and Youth in the World is a civil society organisation, working with creative activities to include and integrate women from segregated areas in Sweden.
Our values are equality, an egalitarian approach and everyone's equal value.
Our purpose is to break isolation and enable all women, mothers and children and youth, an as good future as possible.

Discrimination of Refugees, Asylum Seekers and Immigrants

Sweden is one of the countries in the world that has received many refugees in relation to its population. Sweden's population is 10.6 million persons.
Sweden is, in international comparisons, one of the 25 richest countries in the world.
Sweden has stood for a principled approach to public life and has advocated for the fulfilment of human rights across the world.¹

In our organisation's daily work since eight years, in socioeconomically and ethnically segregated areas in two of Sweden's approximately 60 such areas², we have received information which raises our serious concerns over fundamental needs and human rights, not being enabled or protected in the areas where we work. Similar difficulties may exist in similar situations across Sweden.

We have chosen to focus on three areas of our profound concern, relating to new laws and existing policies aiming to restrict protection and rights of refugees, asylum seekers and immigrants. Many human rights are interdependent in these topics.
Especially our questions concern rights to protection of needs of refugees and their children, the rights to life, food, health, well-being and housing, work, education and a reasonable standard of living.

- 1) The new law 2024, Hyreslagen, JB 12:42, pt 12, allows forceful evictions of the whole family, if one family member has committed a serious crime in or near the apartment where the family lives. This is collective punishment in violation of ICCPR Article 16, about the right of everyone to recognition everywhere as a person before the law, as well as a violation of Childrens' rights to a home, according to the Children's Convention.

¹ Impartial, independent rule of law is vital to sound societies, Finland, Sweden and Norway in multilateral cooperation. The rule of Law, Keynote speech by Michelle Bachelet, UN High Commissioner for Human Rights, Helsinki, 6 February 2020

² List of socioeconomically vulnerable areas by the Swedish Police, reported by Swedish news SVT Nyheter, 1 December 2023: Här är polisens nya lista med utsatta områden

- 2) Legal changes abolishing the former law about own housing for asylum seekers (Lagen om eget boende, EBO) forces all asylum seekers who receive social welfare, to instead move to asylum housing, also children who are born in Sweden and have lived all their lives in their homes and attend school, are through this new law change by the end of August, 2025, becoming forced to move to wherever the Migration Office decides, if their parents receive social welfare. This violates the Childrens' Convention and ICCPR Article 12, pt 1: "Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence."
- 3) Increasingly conditioned social welfare for asylum seekers, refugees and immigrants from other regions of the world, based on language and status as asylum seekers and dependent on social welfare, is discrimination and a form of undoing of equality and human rights in violation of ICCPR Preamble and ICCPR Article 2, pt 1 and Article 5, pt 1 and Article 6 and General comment No. 36 (2018) on article 6 of the ICCPR, on the right to life. These changes created by the Swedish Government through new laws concern large groups of peoples.

Unemployment and Social Welfare in Sweden relating to Refugees

Sweden has, in comparison with European countries, high unemployment, the highest unemployment numbers in Europe 2024, 8.4% and for youth 24.2%.³

It is difficult to find work for youth, women with children and for persons with no education.

Persons having come from regions outside of Europe, have the highest unemployment numbers in Sweden, especially, persons having come from Africa, with 28.7% unemployment and Asia, 21.9 % unemployment, and foreign born 16.2% unemployment.⁴

Many have arrived from regions outside of Europe and have received asylum, residence and work permits after having fled war and persecution.

Many have not received their first job in Sweden, after years of living in Sweden.

Foreign born women are the group with the highest unemployment, compared with foreign born men, according to the Swedish Gender Equality Agency.⁵

A requirement by most employers, for receiving work in Sweden, is to speak Swedish, and to have an education, and experience relevant to the work.

Many, who have fled war and persecution, have not received education.

In many countries education is not offered to everyone and especially not to women.

³ ec.europa.eu/social, EU unemployment in April 2024, Sweden 8.4% and EU youth unemployment in April 2024, Sweden 24.2%.

⁴ [Ekonomifakta.se](https://ekonomifakta.se), Arbetslöshet efter ursprung, 2024, källa: SCB via Macrobond

⁵ Jämställdhetsmyndigheten, Utrikes födda kvinnor behöver mer anpassat stöd för att få arbete, Stärkta möjligheter genom samverkan - insatser för att underlätta utrikes födda kvinnors inträde på arbetsmarknaden, (2022:13), 31 mars 2022, jamstalldhetsmyndigheten.se

When fleeing war and persecution, education can become interrupted and can be lacking for years.

For some, Swedish Language Classes for Immigrants (SFI), can be the first contact with education, in their whole life experience.

The official Swedish language classes (SFI) are important because they verify the progress and level of learning of Swedish that someone has achieved, and can enable the receiving of a first job in Sweden.

All written information from authorities in Sweden is in Swedish.

According to the Administrative Procedure Act (2017:900), section 13, communication by authorities shall be translated if needed, to enable rights, when the authority is in contact with someone who does not have a command of Swedish.

It is also possible to book an appointment with authorities and have an interpreter during the meeting. This service is cost free.

The Municipality decides on the rights to economic support, welfare, in the case of unemployment of someone living in the Municipality.

Welfare in the form of economic support is never unconditional, but the conditions can be adapted to the individual situation of the applicant, and a child's perspective should be included in the decisions.

To be active and progress in language classes, is one requirement evaluated, when municipal authorities, on a monthly basis, decide on the right to welfare. Active participation in job seeking programmes, internships and education, like Swedish for immigrants, is looked at alongside economic information about all incomes during a month.

If someone does not provide all information for decisionmaking, or deviates from requirements made in relation to their application, social welfare can be denied.

Families apply as one household, and if one parent does not do good in relation to the authorities, the whole family can lose their economic support for the month.

The child's perspective is to be weighed into the decisionmaking, but in the practice of municipal authorities, social welfare is being denied families with children, if one parent does not hand in all informations on time, for example due to language difficulties and not understanding which informations among many were the most important to prioritise.

Parents, local authorities explain, should plan their economy, for unforeseen events, such as rejection of their applications for aid.

There is also a possibility to apply for acute emergency economic aid for food and rent, if welfare is denied.

In Sweden, costs for food and rent are now higher than ever before. Prices for food have increased in remarkable ways. Welfare levels have not increased to match the rises in costs of living. The stress it creates for families, having fled from war and persecution, to lose the economic support for the month, retraumatizes and brings back memories from having experienced famine and homelessness during war, and during being forced to flee.

Real risks of becoming homeless emerges, because paying the rent is the basis of having the right to live in the apartment, in the home. Real risks for health emerge, since food for the month might not suffice for the needs of the family and the children.

Therefore, our organisation voices profound concern over this treatment of vulnerable migrant and refugee families, mothers and children, in the socioeconomically fragile areas, where many live in relative poverty.

One question, municipal authorities ask, and can ask, according to Swedish law and practice in deciding emergency aid, is whether the family can borrow money from friends for rent and food for the month.

In the areas we work, almost no one has strong economic friends or family, who can lend them money for the month. Banks will not offer loans to those without jobs. The question about loaning from friends reveal a gap in the understanding of the situation many refugees live in.

Through applying the law, equally to all, without sensitivity to language difficulties, cultural differences in understanding communications and their meaning, and by not weighing in the child's perspective, when denying social welfare in the form of economic aid, discrimination and violations of fundamental rights emerge, where vulnerable populations are being denied their basic human rights and protection of their needs.

The decisions to deny welfare can be appealed, but while waiting for the appeal to be decided, it can be weeks of waiting, risking to become a month or more, for basic economic support levels to return.

A recent study shows it is in practice almost impossible for individuals to win appeals against administrative authorities, like the municipal authorities in Sweden.⁶

The lack of food in Sweden for vulnerable populations is also described by the civil society organisation Stadsmissionen. This civil society organisation describes, it is the lack of communication, accessibility and the treatment by authorities, that disenables aid and support for people in need, and that a reasonable standard of living is not upheld for those in need of social welfare. Instead guilt is placed, by authorities, on the persons in vulnerable situations.⁷

⁶ Chanslös mot myndigheterna, Fem reformer för en rättvisare förvaltningsprocess, Centrum för Rättvisa, 2024, www.centrumforrattvisa.se

⁷ Fattigdomsrapporten 2024, Sveriges Stadsmissioner, www.sverigesstadsmissioner.se

Discrimination of Asylum Seekers and Refugees in Vulnerable Situations

Sweden does not have a prohibition of discrimination based on language as a ground for discrimination. The laws about protection of minorities and minority languages do not include the language groups of asylum seekers and refugees.

The ICCPR Convention has not been incorporated into Swedish law.

It is unclear which parts of Social Welfare Law relate to binding international human rights obligations.

In our organisation's view, denying refugees and their children economic aid for food and rent based on conditions, is discrimination in vulnerable situations of persons having fled violence, facing unemployment, and depending on welfare support. The taking away of welfare is a way of taking away their rights. We see it as a pattern of using laws systematically, aiming to limit and undo fundamental rights, in non compliance with ICCPR.

We see an unawareness of human rights of municipal authorities, in the same way that the CCPR Committee has described, in its previous Decision relating to Sweden, 2016.

In General comment no.36 (2018) on article 6 of the ICCPR on the right to life, CCPR/C/GC/36, it is described on page 6, pt. 81 that there is a duty of States to protect the right to life and take special measures of protection towards persons in situations of vulnerability, including children , minorities, displaced persons, asylum seekers and refugees and to take positive protective measures relating to food and dignity.