



Universal Periodic Review 49<sup>th</sup> session – Stakeholders' Report

## Sweden: Freedom of Religion or Belief

11 October 2024

### Joint Submission by:

**The Swedish Evangelical Alliance (SEA)** is part of the WEA and EEA. It was originally founded in 1853 and re-started in 2001 as a continuation of the Swedish Lausanne Committee. At present, SEA functions mainly as a think tank, writing articles and producing materials in areas such as Evangelical Identity, Human Dignity, Freedom of Religion, Speech and Consciousness, Christian Faith and Other Religions, and Marriage and Family. It also functions as a bridge builder between different parts of Swedish Christianity – mainly, although not exclusively, within the Evangelical camp.

**The European Evangelical Alliance (EEA)** is an alliance of more than 50 European grassroots national and transnational evangelical movements from all Protestant traditions in 35 European countries. The EEA serves as a platform for common action and a voice for Europe's 20+ million Evangelicals.

**The World Evangelical Alliance (WEA)** was founded in 1846 and is a network of churches in over 140 nations that have each formed an evangelical alliance, and over 100 international organizations joining together to give a world-wide identity, voice, and platform to more than 600 million evangelical Christians worldwide.

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## **I. Previous UPR of Sweden**

1. In 2020, during the 35<sup>th</sup> session of the UPR, 28 recommendations on Freedom of Religion or Belief were made to Sweden. Among them, 22 were accepted by the State under review. Two key recommendations supported by Sweden were:

*156.116 Add concrete and actionable points to its national plan to counter and prevent all forms of racism, discrimination, religious intolerance and violence against minorities. (Pakistan)*

*156.184 Extend the national action plan against racism and hate crimes to guarantee freedom of religion to all. (Kenya)*

2. One particular recommendation was regrettably not supported by the State under review:

*156.290 Defend the principle of non-refoulement by taking more effective measures to properly protect the rights of asylum seekers to leave their current religion or to change their religion for another, and to run from the significant risks of persecution in their countries of origin. (Haiti)*

## **II. Christian asylum seekers who have converted from Islam and are being denied asylum I Sweden**

3. In a study by the Swedish Pentecostal movement<sup>1</sup>, asylum cases concerning 619 Christian converts from Afghanistan were reviewed. They applied for asylum in Sweden between 2015 and 2018. They had all been baptized as Christians and became members of Evangelical churches in Sweden. 503 of them explicitly asked for asylum because they considered themselves in danger due to their conversion to Christianity. Yet 70 percent of the 619 converts from Afghanistan were denied asylum. Their faith was not seen as genuine in 68 percent of the cases. However, it is troubling that decisions varied greatly based on in which part of Sweden the decision was made and which judge reviewed the case. The lay judges in the Swedish Migration Court, which handles appeals, are appointed by political parties. Lay judges from the nationalist Sweden Democrats decided against granting asylum to Christian converts in 93 percent of the cases, while lay judges appointed by the Left Party decided against granting asylum to the same category of asylum seekers in only 15 percent of the cases.
4. The Swedish Migration Agency (SMA), which evaluates applications for residency and citizenship, has been known to ask asylum seekers with a Muslim background who have converted to Christianity, complex or inadequate questions on theology that are unfit to test the authenticity of the inner faith and conviction of the person.<sup>2</sup> Thus, the procedures favors those with the intellectual ability to reflect on their faith, and does not focus properly on the authenticity of their conversion and the associated risks of persecution. The study authored by the Swedish Pentecostal movement on Afghan converts also showed that the SMA holds a dubious and inconsistent position on the public nature of faith, as converts are presumed to be able to choose to keep their faith private and secret. Finally, the converts' membership and involvement in local churches is given negligible or nonexistent weight.<sup>3</sup> Unfortunately, the testimony of churches and pastors, which would seem an important source to assess the authenticity of the faith of the new believer, is not taken into account.<sup>4</sup> However, other

vulnerable groups such as asylum cases concerning LGBTQ-persons do benefit from the involvement of a specialist.<sup>5</sup> In a new report about the Swedish Migration Agency's work produced by the Swedish Agency for Public Management (which is the government's organisation for analyses and evaluations of state and state-funded activities) it is stated that "conversion cases are difficult to assess in a uniform and legally certain manner. This is partly because these cases often require difficult assessments of individuals' feelings and internal change processes".<sup>6</sup> According to the report conversion cases, together with cases relating to LGBTQ-persons, stand out "as areas where the need for competence development is the greatest."

5. Overall, these studies indicates a politicized and arbitrary procedure on asylum cases of Christian converts that does not comply with international law and with international standards for refugee status determination.<sup>7</sup>

### **III. Attacks on Christian asylum seekers at Swedish asylum centers**

6. In the context of the record influx of asylum seekers to Sweden in 2014 - 2015, the overcrowded refugee centers sometimes have proven to be difficult to control, leaving vulnerable asylum seekers belonging to minorities at the mercy of a violent and hostile social environment. A number of violent incidents were reported, such as the case of a new Christian convert who was stabbed by a fellow asylum-seekers on the same day he was to be baptized at the New Life Church, a member of Sweden's Evangelical Free Church. The victim had, prior to the incident, begun wearing a cross.
7. In 2017, Open Doors Sweden conducted a nationwide survey<sup>8</sup> of vulnerable Christians in asylum centers. The questionnaire-based survey is based on interviews with 123 persons who fled to Sweden and arrived there after July 1, 2012, who either were Christians before they came to Sweden or after their arrival and who experienced religiously-motivated persecution in Sweden due to their Christian faith. 77 percent of them had at some point in their lives converted to Christianity from another faith. A large majority of them originated from Iran, Afghanistan and Syria. In total, they reported 512 separate incidents in Sweden, including death threats, sexual assaults, and other acts of violence. Most of the perpetrators were other asylum seekers. However, only 10 percent of the incidents were reported to the police. Victims feared reprisals or assumed that the police would not take action. 53 percent of all participants in the survey reported that they had been attacked violently at least once because of their Christian faith. 45 percent reported that they had received at least one death threat, and 6 percent reported that they had been sexually assaulted. A very disturbing fact is also that over a third of all the 123 survey participants reported incidents where the perpetrators were official translators and interpreters, and sometimes also staff at the refugee shelter, or even case workers from the Swedish Migration Agency.
8. Today there are reports of converts to Christianity from Islam being persecuted and harassed in Sweden. According to Roksana Schnitter, chairperson at n Persian-speaking Evangelical Church in Stockholm, church members with a Muslim background have been harassed as they go to worship services.<sup>9</sup>
9. Measures taken by the government to protect Christian converts have been insufficient. Despite earlier promises by the Minister of Culture and Democracy,<sup>10</sup> the "National action plan against racism, similar forms of hostility and hate crimes" fails to address the situation of Christian refugees being attacked at asylum centers and

other places, while specific measures and affirmative action for other vulnerable groups are provided.

#### **IV. Religious slaughter**

10. Swedish legislation does not allow kosher or halal slaughter. On the other hand, it is accepted that individuals import meat from other EU countries, meat that is slaughtered according to kosher and halal regulations. The double standard in this procedure is that animal husbandry and animal transport cannot be controlled. In addition, the cost of the imported meat, both to the state and to individuals, is significantly higher.
11. The issue of religious slaughter should be seen in the light of freedom of religion and the free exercise of religion, just as it should be seen in the light of animal welfare. There is an imbalance here today, as religious slaughter is mainly considered from an animal welfare point of view. Freedom of religion is enshrined in law in Sweden. This should also mean that religious slaughter methods are allowed in our country.

#### **V. Using Sweden's hate speech law as blasphemy law**

12. There have been several recent incidents where Qurans have been burned or desecrated. These incidents in Sweden have prompted debates on the line between freedom of expression and of agitation against a population group. We condemn the desecration of the holy book of Muslims. However, we do not believe that it should be criminalized.
13. In the Swedish criminal code s. 16(8), it states:

*A person who, in a statement or other communication that is disseminated, threatens or expresses contempt for a population group by allusion to race, colour, national or ethnic origin, religious belief, sexual orientation or transgender identity or expression is guilty of agitation against a population group and is sentenced to imprisonment for at most two years or, if the offence is minor, to a fine.*

14. Prominent politicians such as former Prime Minister Carl Bildt and former Foreign Minister Jan Eliasson, who was also UN deputy secretary, and the human rights organization Civil Rights Defenders argue that the burning of private copies of the Quran should be regarded as agitation against an ethnic group. According to them, and sizable portion of the Swedish electorate, Quran burning should be criminalized.
15. Even if Quran burnings and religious satire are seen as vulgar, disrespectful, and derogatory by many, critical expressions about religion and other worldviews are unavoidable in an open and free society. Freedom of religion doesn't mean freedom from religious criticism. Should the blasphemy code that once was abolished be reintroduced in a new form it would be a step backwards for freedom of expression and religion.

#### **VI. Law proposals against conversion therapy**

16. Proposals to ban 'conversion therapy' for LGBTQ+ people, which is supported by the Social Democrats, the Centre Party, the Liberals and the Moderates in the Swedish

parliament could become a serious threat to our constitutionally protected freedom of religion.

17. All forms of coercion, including violence, abuse and torture, against LGBTQ+ people are reprehensible and must be condemned. We also stand in solidarity with the fundamental struggle for tolerance and the equal value of all people that the LGBTQ+ movement wants to be part of. Nevertheless, we believe that there are significant problems with the proposed law, which have to do with delimitations and definitions on the one hand, and freedom of opinion and religion on the other.
18. The problem of definitions is already illustrated by the report on the subject presented in 2022 by the Swedish Agency for Youth and Civil Society. The agency chooses to speak of 'conversion attempts' rather than conversion or conversion therapy. Later in the report, the concept is broadened further by talking about both 'influence attempts' and 'conversion attempts'. Based on the 2021 National Youth Survey, the report states that 18 percent of Sweden's young LGBTQ+ people have been subjected to some form of attempt to 'change their sexual orientation, gender identity or gender expression'.
19. One concern relates to freedom of opinion and religion. In the debates on conversion therapy in religious settings, we see a clear conflation between phenomena such as intimidation and coercion – which are reprehensible in any circumstances – and mainstream preaching and counseling based on a biblical view of gender and sexuality. This kind of legislation puts a chill on religious expression about these sexuality issues as pastors fear criminal sanctions for stating what the Bible says about human sexuality.
20. Such legislation would mean that religious representatives would be forced to say no to all LGBTQ+ people who seek their help, including those who on their own initiative wish to talk and pray about their sexuality or sexual identity.

## **VII. Denial of public funding to religious denominations viewed as undemocratic**

21. Sweden's former government was in the process of introducing stricter democratic criteria for religious organizations that receive state funding in 2022. Among these criteria was stipulated that any misconduct by any representative of a church, (a youth pastor, volunteer leader, or Sunday school teacher) was enough to jeopardize an entire denomination's state funding.
22. Sweden's present government withdrew the law proposal in order to change some of the problematic wording. Nevertheless, a larger pattern remains where state authorities, counties, municipalities and individual politicians deny churches and other religious bodies grants based either on Christian teaching or on a policy that public funds should not support religious work even when they simply contribute to public good such as camps, relief effort, etc. The reason given to withdraw public funding is that churches don't stand for "democratic values".
23. What these values are or where they are to be found is often not specified. A prominent recent case is that of the association Furuhöjdskyrkans Ungdomsförening which is closely affiliated with the Furuhöjdskyrkans church in Alunda. Due to a sermon from January 29, 2023, titled "The Holy Spirit wants to lead you into the truth" where the pastor made a reflection on gender, marriage, and sexuality as a

commentary on John 16:13, the Culture and Leisure Committee of Östhammar municipality decided to deny a grant to the association Furuhöjdskyrkans Ungdomsförening. The grant purpose was for youth camps and scout activities.

24. The justification in the decision for the refusal of the grant was that “the committee considers that Furuhöjdskyrkan does not follow Östhammar municipality's grant standards for receiving local activity support.” The decision adds:

*Furuhöjdskyrkans Ungdomsförening has submitted an application for local activity support. It has come to the attention of Östhammar municipality that Furuhöjdskyrkan is openly spreading opinions that do not comply with the norms established for obtaining local activity support.*

25. Furuhöjdskyrkans church and its pastor were not accused of carrying hate speech or advocating discrimination against vulnerable or minority groups. Indeed, the sermon falls well within Evangelical orthodox theology as well as the historic Christian tradition. Absent any allegation of hate speech or for calls to discrimination, Östhammar municipality's denial of the grant for the explicit above-mentioned reason constitutes a State sanction for the internal doctrine and teaching of religious communities.
26. In an interview with the media, Jan Holmberg, chairman of the Culture and Leisure Committee said, “We have looked at the association's own statutes and see no problems there. But after this sermon (of January 29, 2023), we believe that they do not follow our grant standards in practice.” Sanctioning an association that is affiliated with a church due to opposition between Christian doctrine and State ideology is a violation of the right to freedom of religion or belief.
27. Another case relates to how several churches were singled out as problematic and described as “sects” during a lecture on honour-related violence and oppression in the city of Västerås for staff of the municipality.<sup>11</sup> This stigmatizes churches and dilutes the real meaning of sects and honour-related oppression.
28. This and other similar cases, as well as questions about how the government's new democratic criteria for state funding to religious denominations would be implemented illustrate the wider risk to religious denominations and the introduction of a new secularistic state ideology.

### **VIII. Conscientious objection of midwives and other hospital staff's unable to perform abortions**

29. While the Swedish Abortion Act of 1974<sup>12</sup> is silent about the matter of conscientious objection, the preparatory work of Prop.1974:70 s. 76 ff.<sup>13</sup> stipulates clearly that freedom of conscience shall be granted to healthcare professionals who cannot participate in abortions for moral or religious reasons. However, in practice, Sweden is one of the rare countries where conscientious objection for medical personal unable to participate in abortions due to their convictions is not respected.
30. In 2013 Swedish midwife Ellinor Grimmark was denied an extension of her contract at Höglandssjukhuset women's clinic in southern Sweden because she refused to perform abortions for reasons of conscience.<sup>14</sup> She told the women's clinic at the hospital that she believes life begins at conception. Grimmark had sought employment to work with childbirth and postnatal care, not to work at

a gynecological department. Abortion services are usually planned and are only a very limited part of the work at a women's clinic. The late abortions, performed in the maternity ward, represent only one percent of all abortions and are always planned. Despite the fact that the requirements of Grimmark could have been reasonably met by the clinic, no compromise was found.

31. Article 9 of the European Convention on Human Rights<sup>15</sup>, which is Swedish law since 1995, gives everyone the right to freedom of conscience and this article may be restricted only if it is supported by law and necessary in a democratic society.
32. According to the case law of the European Court of Human Rights, women's clinics have an obligation to organize health care so that the freedom of conscience of employees can be respected while women receive the care to which they are legally entitled.
33. A resolution of the Parliamentary Assembly of the Council of Europe<sup>16</sup> also affirms that no person shall be coerced or discriminated against because of a refusal to perform abortions. Sweden ignores this. Most European countries, including Nordic neighbors Norway and Denmark, allow for conscientious objection; Sweden is the rare exception.
34. Grimmark's case against the county was taken to the Jönköping district court, which ruled in favour of the state on the basis that midwives should be able to perform all tasks falling within the scope of their employment, including abortions. The European Court of Human Rights ruled that Grimmark's case,<sup>17</sup> along with Linda Steen's,<sup>18</sup> another midwife who has been denied conscientious objection, was inadmissible.
35. Today Ellinor Grimmark has relocated to Norway, where midwives and doctors who wish to, are granted freedom of conscience.

## **IX. Bans on faith-based private schools**

36. Article 18(4) of the International Covenant on Civil and Political Rights (ICCPR) protects the rights of parents to choose the religious education of their children.
37. In Sweden both municipal and private schools are tuition-free and receive Government funding. Both school forms must follow Government guidelines on the curriculum but private schools may have a confessional orientation, however participation in confessional elements must be voluntary. Chapter 1, Section 6 of Sweden's Education Act states that education at a public school must be non-confessional. Today there are around 60 faith schools in Sweden, which make up less than five percent of all free schools in Sweden. The majority of these have a Christian profile. The others are Jewish and Muslim. This can be compared to other European countries where Sweden stands out as having extremely few faith schools with less than 1 percent of Swedish student attending faith schools. Belgium (56.8 percent), the Netherlands (76.3 percent), Great Britain (37.2 percent) and France (20 percent). Even though religious education in Sweden is already limited in many ways, politicians regularly propose bans or stricter regulations on independent faith schools.
38. Sweden's former government tasked a special investigator to submit "proposals for a total stop to the establishment of new primary and secondary schools which have a religious undertone." The report was handed in in January 2020 but the investigator argued that a ban would lead Sweden to go against several international conventions.

Instead, stricter control on faith schools was decided by the parliament. This has led to less severe measures, but which negatively affect their functioning. For example, politicians in the city of Gothenburg wanted to ban the children at a Christian preschool from saying grace before meals.<sup>19</sup>

39. One of the parties in Sweden's present coalition government, the Liberals, have decided at their party congress to work for a total ban on independent faith schools.<sup>20</sup>
40. A ban on faith schools would impede parental rights, which includes the right to choose the education of their children. It would also violate the liberty to establish and direct educational institutions. It is a clear violation of freedom of religion, protected by Article 18 of the ICCPR. Other measures, directed against faith-based schools in Sweden, have discriminatory character.

## **X. Recommendations**

41. Take affirmative action to protect asylum seekers who converted from one religion to another and whose conversion is making them vulnerable to attacks by members of the religious faith they formerly adhered to.
42. Thoroughly investigate religiously-based discrimination and harassment of asylum seekers by other asylum seekers or by public personnel, including translators, in refugee centers.
43. Allow religious slaughter, namely kosher and halal slaughter, in light of the right to freedom of religion or belief as enshrined in the Swedish legal framework.
44. Refrain from reintroducing new blasphemy laws, or using existing laws to prevent blasphemy, and guarantee both in law and practice freedom of expression and religion.
45. Refrain from introducing vague definitions and concepts aimed at protecting LGBTQ+ persons that could lead to violations of freedom of religion or belief, including the right to have views and practices that are reasonable in a free and democratic society, such as prayer, proclamation and confidential dialogue in a religious context.
46. Grant public funding to associations affiliated with religious communities that contribute to public good without discrimination or interference with their traditionally held religious beliefs and doctrines, in accordance with Sweden's international human rights obligations.
47. Respect the freedom of conscience of medical personnel by applying a principle of reasonable accommodation with their requests not to refrain from acts that violate their deeply-held convictions, and provide for the right to exercise conscientious objection.
48. Respect the rights of parents to faith-based education for their children and refrain from restricting religious practices in faith-based schools.



- <sup>1</sup> "Konvertitutredningen. Rapport om Migrationsverkets hantering av konvertiters asylprocess", March 2019 <https://www.pingst.se/content/uploads/2019/03/konvertitutredningen.pdf>; See also English summary: "Inquiry into the Asylum Processes of Religious Converts in Sweden", March 2019 [https://www.pingst.se/content/uploads/2019/03/Konvertitutredning\\_summary\\_in\\_english.pdf](https://www.pingst.se/content/uploads/2019/03/Konvertitutredning_summary_in_english.pdf)
- <sup>2</sup> These include questions such as explaining what the doctrine of the trinity is or knowing the number of sacraments (Catholic doctrine), or the number of books in the New Testament, questions many genuine Swedish churchgoers would be unable to answer.
- <sup>3</sup> Ibid. note 5.
- <sup>4</sup> The SMA agency often outright dismisses written letters from pastors who testify that the asylum seeker is a regular churchgoer and has been baptized.
- <sup>5</sup> "Equal Rights and opportunities for LGBT persons in Sweden", Government Offices of Sweden. Available at: <https://www.government.se/4a0326/contentassets/b9aa1c9ecc4d4cc6899409d75bcb1a70/equal-rights-and-opportunities-for-lgbt-persons-in-sweden.pdf>.
- <sup>6</sup> "Många öar små – Migrationsverkets styrning och uppföljning av den rättsliga kvaliteten i asylprocessen", The Swedish Agency for Public Management. Available at <https://www.statskontoret.se/publicerat/publikationer/publikationer-2024/manga-oar-sma-migrationsverkets-styrning-och-uppfoljning-av-den-rattsliga-kvaliteten-i-asylprocessen/>.
- <sup>7</sup> When the SMA commented on the study, the chief legal officer said: "We are a secular government authority that has to test whether or not the belief is genuine. The job of the church, and the free church, is whether or not people should be part of the congregation." When asked how the agency can evaluate if a person is a genuine Christian, he answered: "It is almost a philosophical question. I can only say that that's our job [not the Churches']." Available at: <https://sverigesradio.se/sida/artikel.aspx?programid=83&artikel=7194784>.
- <sup>8</sup> "Religiously motivated persecution against Christian refugees in Sweden: A questionnaire-based survey in the spring of 2017", Open Doors Sweden, 2017. Available at: <https://www.open-doors.se/Admin/Public/Download.aspx?file=Files%2FFiles%2FSE%2FRapporter%2Fopen-doors-refugee-report-2017.pdf>.
- <sup>9</sup> "Ex-muslimer förföljs och trakasseras i Sverige", Dagen. Available at: <https://www.dagen.se/nyheter/2024/06/30/ex-muslimer-forfoljs-och-trakasseras-i-sverige/>.
- <sup>10</sup> During a debate in Parliament in February 2016, MP Maria Abrahamsson (M) asked the then Minister for Culture and Democracy, Alice Bah Kuhnke, about the attacks on Christian refugees and the government's response. The minister answered this would be included in the upcoming action plan. Available at: [https://www.riksdagen.se/sv/webb-tv/video/fragestund/fragestund\\_H3C120160225fs](https://www.riksdagen.se/sv/webb-tv/video/fragestund/fragestund_H3C120160225fs)
- <sup>11</sup> "Kritik mot Västerås kommuns föreläsning: 'Kyrkor pekas ut som sekter'", Dagen. Available at: <https://www.dagen.se/nyheter/2024/10/04/kritik-mot-kommunal-forelasning-kyrkor-pekast-ut-som-sekter/>.
- <sup>12</sup> Abortion Act of 1974 (SFS 1974:595)
- <sup>13</sup> Available at: <https://data.riksdagen.se/fil/EAEA39A2-89DD-44EB-AA60-8E9BC34E7A6C>
- <sup>14</sup> "Swedish Midwives file case before the European Court of Human Rights," Människorätts-Advokaterna. Available at: <https://humanrightslawyers.eu/swedish-midwives-file-case-before-the-european-court-of-human-rights/>.
- <sup>15</sup> "European Convention on Human Rights", European Court of Human Rights. Available at: [https://www.echr.coe.int/Documents/Convention\\_ENG.pdf](https://www.echr.coe.int/Documents/Convention_ENG.pdf).
- <sup>16</sup> "The right to conscientious objection in lawful medical care," Resolution 1763 (2010). Available at: <http://assembly.coe.int/nw/xml/Xref/Xref-XML2HTML-en.asp?fileid=17909>.
- <sup>17</sup> Grimmark v. Sweden, App. no. 43726/17, 11 February 2020, ECtHR.
- <sup>18</sup> Steen v. Sweden, App. no. 62309/17, 11 February 2020, ECtHR.
- <sup>19</sup> "Förskola ber bordsbön - politiker i Göteborg vill sätta stopp", Dagen. Available at: <https://www.dagen.se/nyheter/2023/10/05/forskola-ber-bordsbon-politiker-i-goteborg-vill-satta-stopp/>.
- <sup>20</sup> "L: Alla konfessionella friskolor ska avvecklas nästa mandatperiod", Dagen. Available at: <https://www.dagen.se/nyheter/2023/11/01/liberalerna-alla-konfessionella-friskolor-ska-avvecklas-nasta-mandatperiod/>.