



## 人权理事会

### 第四十一届会议

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#### 议程项目 3

促进和保护所有人权——公民权利、政治权利、  
经济、社会及文化权利，包括发展权

## 访问瑞典

### 人权与国际团结问题独立专家的报告\*

#### 概要

按照人权理事会第 35/3 号决议，人权与国际团结问题独立专家奥比奥拉·希内杜·奥卡福尔于 2018 年 4 月 23 日至 27 日对瑞典进行了访问。

独立专家此访印象深刻，既看到政府的能力和决心，也看到他会见的来自民间团体、商界和社会伙伴的所有相关行为方的能力和决心，要重新思考如何通过基于人权的国际团结方针，特别是在气候变化和移民问题方面，处理世界目前面临的全球性挑战。独立专家在访问中观察到，对于推行基于人权的国际团结的必要性，瑞典社会内部和不同政治派别之间存在着令人钦佩的广泛共识。独立专家建议瑞典重振并加强努力，抵制反移民和反难民的仇外民粹言行，因为这种言行对推进基于人权的国际团结的努力会造成损害并构成很大威胁。

\* 报告概要以所有正式语文分发。报告本身载于概要附件，仅以提交语文分发。



## Annex

### **Report of the Independent Expert on human rights and international solidarity on his visit to Sweden**

#### **I. Introduction**

1. The Independent Expert on human rights and international solidarity, Obiora Chinedu Okafor, visited Sweden from 23 to 27 April 2018, at the invitation of the Government.

2. During his five-day visit, the Independent Expert met with ambassadors-at-large for human rights, democracy and the rule of law; children and armed conflict; corporate social responsibility; and gender equality. He met with other government officials and representatives from the Ministry for Foreign Affairs, the Ministry of Finance, the Ministry of Justice, the Ministry of Employment, the Ministry of Health and Social Affairs and the Swedish International Development Cooperation Agency (Sida). The Independent Expert also met with members of parliament from the governing and opposition parties, officials at the municipal and county levels in Stockholm and in Malmö, and representatives of Swedfund, the Swedish development finance institution. He also met with representatives of civil society organizations based in Sweden, as well as representatives of the Office of the United Nations High Commissioner for Refugees (UNHCR). He visited the Roma Information Knowledge Centre in Malmö and the youth centre, Fryshuset, in Stockholm. He thanks all those who took the time to meet and exchange views with him.

3. The main objective of the Independent Expert's visit to Sweden was to learn and understand how the country incorporates human rights into its international solidarity strategy and action, and to collect good practices in that regard. He was also interested in learning more about the State's efforts to promote a human rights-based approach to addressing many of the global challenges that the international community was currently facing, such as climate change, cross-border migration, refugee flows and peace and security.

4. At the heart of the governing strategy of the Swedish Social Democratic Party, in power for more than 40 continuous years until 1976, the concept of "solidarity" became an essential component of the country's economic and social policies, alongside the ideas of equality, justice and freedom. The Swedish State model became one of the most praised and exemplary welfare systems in the world. It provides social security and protection to residents, and is distinct from other systems in that it is universal and tends to cover all persons living in Sweden regardless of their situation. In establishing an egalitarian, solidarity-centred and growth-inclusive social system, the State has contributed to the alleviation of poverty in Sweden and ensured the fulfilment of the human rights of the people on its territory. Those considerable efforts have allowed Sweden to grow over the decades into one of the countries with the highest gross national income in the world, currently ranking twelfth out of 189 countries.<sup>1</sup> The relatively robust Swedish economy and social welfare system has helped to put Sweden in a good position to promote human rights-based international solidarity.

5. The Independent Expert conducted his visit a few months before the general elections on 9 September 2018. Throughout his visit, interlocutors informed the Independent Expert of the rise in support for nationalist populist ideologies, especially embracing anti-migrant and xenophobic sentiments, defended by some Swedish political parties. According to other special procedure mandate holders, nationalist populism is an ideology explicitly or implicitly advocating for a social cleavage between elites and "the

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<sup>1</sup> See World Bank, "Gross national income per capita 2017, Atlas method and PPP" (Atlas method ranking). Available at <http://databank.worldbank.org/data/download/GNIPC.pdf>.

people”, who are often viewed as exploited or neglected by those power-holding elites (see, for example, A/73/305 and Corr.1, paras. 8–10). Given the current context in Europe, the Independent Expert warns against the expansion of such ideologies, whose roots and founding principles exacerbate inequality and discrimination in ways that are incompatible with human rights-based international solidarity.

## II. Applicable human rights law framework

6. Sweden is a party to most international human rights instruments, although it has yet to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. In its report to the Committee on the Elimination of Discrimination against Women in 2014 (CEDAW/C/SWE/8-9), the Government argued that the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was unnecessary, as the protection provided by the Convention was already assured by other conventions to which Sweden was a party, namely six other central United Nations conventions on human rights and the International Labour Organization (ILO) Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). It also explained that it had not yet ratified the International Convention for the Protection of All Persons from Enforced Disappearance because an analysis had to be made of the need for related legislation, and that the matter was currently being reviewed by the relevant government offices. Nevertheless, during its most recent universal periodic review, in 2015, 12 States recommended that Sweden ratify or take steps to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 7 States called on it to proceed with its ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, 4 States recommended that it ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and 2 recommended that it ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (see A/HRC/29/13).

7. The Riksdag (parliament) has set as an objective of democratic policy that human rights should be respected in Sweden. The Government has adopted two national plans of action for human rights and, in 2016, adopted a strategy on national human rights policy (A/HRC/WG.6/21/SWE/1). While there are three ombudsman offices dealing with human rights issues (the Parliamentary Ombudsman, the Equality Ombudsman and the Ombudsman for Children), Sweden has yet to establish a national human rights institution according to the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

### **Commitment to the 2030 Agenda and other relevant instruments for international solidarity**

8. Thanks to its democratic system and steady economic development for many decades, Sweden is in a favourable position to implement the 2030 Agenda for Sustainable Development and the Sustainable Development Goals. The Government has consistently expressed its determination to make Sweden a leader in the implementation of the 2030 Agenda, at both the global and the national levels. For instance, the Prime Minister established an informal high-level political group in 2015, composed of several Heads of State and Government from all regions, to advocate for the 2030 Agenda to be high on the international political agenda.<sup>2</sup>

<sup>2</sup> Sweden, *Sweden and the 2030 Agenda: Report to the UN High Level Political Forum 2017 on Sustainable Development*, p. 8.

9. During his visit, the Independent Expert was told that Sweden saw the 2030 Agenda for Sustainable Development as a floor, not a ceiling. Sweden intends to achieve the 17 Sustainable Development Goals through decisions and measures in daily operations and actions and existing governance processes, as well as through the involvement of everyone in Sweden.<sup>3</sup> The Government also views solidarity as the foundation of the work to implement the 2030 Agenda, strengthened and driven by a human rights approach and a central focus on people living in poverty.<sup>4</sup> As a result, the 2030 Agenda and its Goals are mainstreamed and implemented in all government decisions and policies in all relevant sectors. Throughout his visit, the Independent Expert found significant evidence of the work of the cities of Stockholm and Malmö and the regions to promote and protect human rights, mainstream gender equality, implement environmentally friendly solutions and create plans for the implementation of the 2030 Agenda. Those efforts contribute immensely to a form of human rights-based international solidarity.

10. At the global level, the Government of Sweden has exhibited a strong belief in multilateral cooperation and therefore works extensively to strengthen international cooperation and new partnerships between countries, as well as with companies, social partners, civil society and knowledge-based society worldwide, to effectively implement the 2030 Agenda and to advance human rights-based international solidarity.<sup>5</sup> This is especially reflected in its international cooperation and development policy (see paras. 33–50 below). Strengthening in-depth cooperation between all stakeholders will contribute to sustainable development and reinforce international solidarity among States and other actors.

11. During his visit, the Independent Expert noted with appreciation that, among all government interlocutors he met with, as well as different political party members, there was a strong consensus regarding the implementation of the 2030 Agenda. The Independent Expert also witnessed a willingness among these actors to act in solidarity with those facing inequality, poverty and oppression, whether inside or outside the country. He welcomes the adoption after his visit of an action plan for the 2030 Agenda, defining the key political measures to be implemented in this respect during the period 2018–2020.<sup>6</sup>

12. The Independent Expert was informed of the challenges that Sweden faced, despite its leading position and influential voice in the implementation of the 2030 Agenda, especially with regard to achieving sustainable consumption and production in Sweden and beyond. Inequality and discrimination among Swedes, whether based on ethnicity, national origin, gender, disability, immigration status or economic status, are still very visible in many areas of society. Although Sweden is a role model for women's and girls' rights worldwide, in the country itself gender equality has not yet been fully achieved.

13. In addition to the 2030 Agenda, the Government has pledged to actively contribute to support and promote the implementation of the Paris Agreement on climate change, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development and the Sendai Framework for Disaster Risk Reduction 2015–2030.<sup>7</sup> Sweden sees these global agreements and their principles as inherent elements of sustainable development and as important contributors to the effort to achieve much greater international solidarity. The commitment of the Government to embrace and implement these core documents aimed at the improvement of global living conditions demonstrates its determination to advance human rights-based international solidarity.

<sup>3</sup> Ibid., pp. 4 and 9.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid., p. 8.

<sup>6</sup> See [www.government.se/press-releases/2018/06/the-government-adopts-swedens-action-plan-for-the-2030-agenda/](http://www.government.se/press-releases/2018/06/the-government-adopts-swedens-action-plan-for-the-2030-agenda/).

<sup>7</sup> *Sweden and the 2030 Agenda*, p. 7.

### III. Human rights at the international level

#### A. Foreign policy and human rights, democracy and the rule of law

14. Sweden has a long tradition of defending human rights and democracy internationally. These concepts and principles have been cornerstones of Swedish foreign policy for decades. The Government adopted its first communication on Human Rights in Swedish Foreign Policy (1997/1998:89) in 1997. The same year, a communication on democracy and human rights in Swedish development cooperation was submitted to the Riksdag. Two further communications on human rights in Swedish foreign policy, one in 2003 (2003/04:20) and one in 2007 (2007/08:109), followed. Freedom from Oppression – Government Communication on Swedish Democracy Support (2008/09:11) was submitted to the Riksdag in 2008, focusing on support for democracy as part of development cooperation.

15. In the most recent government communication on human rights and foreign policy, from 2016,<sup>8</sup> the Government set out its strategy, aims and priorities for its foreign policy in the areas of human rights, democracy and the rule of law. In addition to providing an analysis of current global trends, in the communication the Government explains the State's approach to "equal rights for all" and "security, justice and accountability". It also defines the State's rights-based, integrated approach to address current global challenges, including migration and refugee flows, conflict and climate change. The Government emphasizes that human rights, democracy and the principles of the rule of law have to be an essential driver and objective in all Swedish foreign policy. It also affirms the position of Sweden as a global leader in furthering, preventing and influencing developments in those three areas. In addition, the Government sets out the State's position and approach in multilateral forums, including in the context of the United Nations system and the European Union, and how recommendations made by international and regional human rights mechanisms should be integrated at the national level.

16. Furthermore, in its communication of 2016 the Government recognized the importance of the 2030 Agenda and highlighted that human rights, democracy and the principles of the rule of law were prerequisites to its implementation. The Government considers the 2030 Agenda a key reference tool for the realization of its foreign policy, especially in terms of human rights, democracy and the rule of law, as well as regarding gender equality. While embracing the Sustainable Development Goals in every aspect of its foreign policy, including its international development cooperation policy, the Government specified in the communication that its aims with regard to human rights, democracy and the principles of the rule of law were considerably more ambitious than the goals set in the 2030 Agenda. Those efforts, made at all levels of government to mainstream and go beyond the 2030 Agenda from a human rights perspective in all government policy areas, are noteworthy.

17. As an outspoken defender of human rights on the international stage and in line with its integrated approach, the Government has put in place a number of initiatives and mechanisms to pursue its objectives. Sweden has played a leading role in the promotion and protection of human rights and the advancement of gender equality. For this purpose, the Ministry for Foreign Affairs regularly monitors the situation of democracy, human rights and the rule of law worldwide. It published 135 country reports on these issues in 2017. As explained by the Minister for Foreign Affairs, these reports provide a strong basis for dialogue with the countries concerned.<sup>9</sup>

18. The Independent Expert noted with appreciation the appointment of thematic ambassadors-at-large, especially on issues within the scope of his mandate, highlighting the

<sup>8</sup> Human Rights, Democracy and the Principles of the Rule of Law in Swedish Foreign Policy, Government Communication 2016/17:62.

<sup>9</sup> "Statement of Government Policy in the Parliamentary Debate on Foreign Affairs, Wednesday 14 February 2018", p. 5. Available at [www.government.se/49170e/contentassets/da51ffff1e3848b4bc5597190bdd84e/Statement-of-Foreign-Policy-2018](http://www.government.se/49170e/contentassets/da51ffff1e3848b4bc5597190bdd84e/Statement-of-Foreign-Policy-2018).

Government's commitment to strengthening a human rights-based approach to international solidarity in its foreign policy. These positions hold a specific advocacy role at the multilateral, regional and bilateral levels to advance certain areas of priority of the State's foreign policy as part of its international solidarity approach. In 2017, the Government re-established the position of Ambassador-at-Large for Human Rights, Democracy and the Rule of Law to stress the importance it accords to human rights in its foreign policy. Sweden was one of the first countries worldwide to create such a position. The Ambassador-at-Large shares the approach and vision of Sweden in the protection and promotion of human rights and engages with other States and in different forums to advocate for human rights, democracy and the rule of law, which are considered to be interdependent under the mandate.

## **B. Foreign policy and international solidarity-related areas**

### **Global Deal initiative**

19. Sweden launched the Global Deal in 2016, in partnership with ILO and the Organization for Economic Cooperation and Development (OECD). It is a global partnership and the first social dialogue initiative to promote good relations in the labour market with the aim to ensure that everyone can benefit from globalization. Partners of the initiative have a common goal to achieve decent work and steadily improve job quality with the aim of contributing to inclusive growth and shared prosperity.<sup>10</sup> According to information received from the Government, at the time of the visit of the Independent Expert, 87 actors had joined the initiative, including 19 countries and several companies, trade unions and other organizations.<sup>11</sup> To ensure the continuity of the initiative, the Government of Sweden decided to appoint an ambassador-at-large on the issue in order to promote the initiative and coordinate with partners, in close cooperation with ILO and OECD.

20. The Independent Expert was pleased to learn that the Government conceived and created the Global Deal in order to be in line with Goal 17 of the 2030 Agenda, which requires States to strengthen the means of implementation and revitalize the global partnership for sustainable development. The initiative also aims at providing concrete input to realize Goal 8 on decent work and economic growth,<sup>12</sup> but it also has the potential to contribute directly to several other Goals, including Goal 1 (no poverty), Goal 3 (good health and well-being), Goal 5 (gender equality) and Goal 10 (reduced inequalities).<sup>13</sup> The leadership, ambitions and efforts of Sweden in the creation of this multi-stakeholder partnership show the State's determination to find and exchange concrete solutions to reduce the inequalities in the global labour market generated by globalization. The commitment demonstrated by Sweden through the Global Deal reflects a model attitude, practice and partnership to advance human rights-based international solidarity.

### **Corporate social responsibility**

21. Despite the significant limitations of corporate social responsibility as a tool to achieve human rights-based international solidarity, Sweden has long been viewed as a pioneer in this field. As at April 2018, Sweden ranked number 2 out of 65 countries in the RobecoSAM Country Sustainability Ranking, based on 17 environmental, social and governance indicators,<sup>14</sup> after topping the ranking in 2013.<sup>15</sup> The Independent Expert was

<sup>10</sup> See Global Deal, "Declaration of Support – A Global Deal: Enhanced Social Dialogue for Decent Work and Inclusive Growth", available at <http://www.theglobaldeal.com/wp-content/uploads/2017/02/Global-Deal-declaration.pdf>.

<sup>11</sup> List of partners available at [www.theglobaldeal.com/partners/](http://www.theglobaldeal.com/partners/).

<sup>12</sup> Global Deal Newsletter, No. 1, September 2017, p. 1, available at <http://globaldeal.azurewebsites.net/wp-content/uploads/2017/09/Global-Deal-newsletter-No-1-September-2017.pdf>.

<sup>13</sup> ILO, OECD and the Global Deal, *Building Trust in A Changing World of Work: The Global Deal for Decent Work and Inclusive Growth Flagship Report 2018* (18 May 2018), p. 88.

<sup>14</sup> See [www.robecosam.com/en/key-strengths/country-sustainability-ranking.html](http://www.robecosam.com/en/key-strengths/country-sustainability-ranking.html).

pleased to learn that the Government had also appointed an Ambassador-at-Large for Corporate Social Responsibility. The creation of such a position demonstrates the country's commitment to be a leader in sustainable business practice, to influence positively and globally the way companies work, and to have an impact on today's society. Through bilateral relationships, the Ambassador intends to advocate for good corporate social responsibility policy in the countries where Swedish companies have partners and suppliers. The Independent Expert believes that the appointment by the Government of such a figure will reinforce the Government's practice and model in this area.

22. The Independent Expert was also pleased to learn that local and national authorities required their business partners and suppliers to have good corporate social responsibility policies, especially in the areas of health care and transportation. For instance, since 2010, Swedish county councils, such as the Stockholm County Council, have been using human rights-based codes of conduct and human rights-related clauses in contracts with suppliers that may be at high risk for human rights violations, especially in the textile, surgical instruments and materials, information and telecommunications technology, pharmaceutical and food industries.<sup>16</sup>

23. The Independent Expert was informed that, in recent years, the scope of corporate social responsibility in Sweden had expanded and now encompassed other diverse aspects of business operations, such as corruption in supply chains and local environmental protection efforts.<sup>17</sup> In 2015, the Government adopted communication 2015/16:69 defining its vision of corporate social responsibility. In the communication, the Government emphasizes the role of corporate social responsibility in different policy areas, including development cooperation. Designed along the lines of several international guidelines, among them the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework and the 2030 Agenda, the policy embraces respect for human rights, gender equality, decent working conditions, environmental considerations and anti-corruption efforts.<sup>18</sup>

24. Clear efforts have been made by the Government and by several Swedish-based civil society organizations, company employees, investors and funds (such as Swedfund) to persuade Swedish companies to implement the principles of corporate social responsibility and human rights in their work abroad, in accordance with the Guiding Principles on Business and Human Rights. However, it is important to emphasize that the conduct of human rights due diligence by Swedish companies when acting abroad should not be voluntary and that they should all work harder to integrate the Guiding Principles into their day-to-day operations, to ensure human rights-based international solidarity.

### **Feminist foreign policy**

25. The Government of Sweden is the first Government to formulate and pursue a feminist foreign policy, which it has done since 2014. A plan of action was defined for the period 2015–2018, guided by the a set of long-term objectives for women and girls: (a) the full enjoyment of human rights; (b) freedom from physical, psychological and sexual violence; (c) participation in preventing and resolving conflicts, and post-conflict peacebuilding; (d) political participation and influence in all areas of society; (e) economic rights and empowerment; and (f) sexual and reproductive health and rights.<sup>19</sup> The establishment of such objectives, allowing the mainstreaming of gender equality in all areas

<sup>15</sup> See "Corporate social responsibility in Sweden", available at <https://sweden.se/business/csr-in-sweden/>.

<sup>16</sup> See International Learning Lab on Public Procurement and Human Rights, "Swedish County Councils"; and Swedwatch, *Agents for Change: How Public Procurers Can Influence Labour Conditions in Global Supply Chains – Case Studies from Brazil, Pakistan and Thailand* (2016), pp. 16–19.

<sup>17</sup> "Corporate social responsibility in Sweden".

<sup>18</sup> Ministry of Enterprise and Innovation, "The Swedish Government policy for corporate social responsibility", fact sheet (May 2016), p. 1.

<sup>19</sup> Ministry for Foreign Affairs, "Swedish Foreign Service action plan for feminist foreign policy 2015–2018, including indicative measures for 2018".

of foreign policy, is a commendable initiative and a good practice for the advancement of human rights-based international solidarity.

26. To implement its feminist foreign policy effectively, the Minister for Foreign Affairs appointed an Ambassador-at-Large on Gender Equality, who is also in charge of coordinating the implementation of the plan of action. Through the plan, Sweden aims to achieve concrete results to advance gender equality in its foreign, security, development, trade and promotion policies at the multilateral, regional and bilateral levels, and to ensure the full enjoyment of human rights by all women and girls. Efforts to implement its feminist foreign policy have already led to some noteworthy results.<sup>20</sup> For example, the advocacy of Sweden in human rights forums has clearly contributed to the inclusion of a strong gender perspective, especially with regard to sexual and reproductive health and rights. On the latter topic, the Government has also provided core support to the United Nations Population Fund in the prevention of unplanned pregnancy and unsafe abortions.<sup>21</sup> Sweden is also the largest donor to the United Nations Entity for Gender Equality and the Empowerment of Women and United Nations Action against Sexual Violence in Conflict, which develops gender-responsive early warning systems.<sup>22</sup>

27. The Independent Expert acknowledges the essential role played by Sweden at the multilateral level within the General Assembly and the Human Rights Council in advocating and calling for a strong gender approach in international responses to such global challenges as migration and humanitarian situations.<sup>23</sup> Such strong support for cooperation and multilateralism to advance gender equality worldwide makes human rights-based international solidarity effective.

28. The Independent Expert also welcomes the adoption of a new global strategy for gender equality and women's and girls' rights within Swedish development cooperation and humanitarian aid. Through the strategy, the Government is allocating 1 billion Swedish kronor for the period 2018–2022. The strategy is being implemented by the Swedish International Development Cooperation Agency.<sup>24</sup>

### **Conflict-related policy and arms trade**

29. Sweden was elected as a non-permanent member of the Security Council for the 2016–2018 term. Seen as a “bridge builder” by several actors, including the Secretary-General, because of its long-standing peacemaking efforts,<sup>25</sup> Sweden received wide support for its Security Council membership. In July 2018, Sweden took up the presidency of the Council with the intention to promote its top priorities under the international peace and security agenda: conflict prevention; women, peace and security; and children in armed conflict.

30. As part of its feminist foreign policy, Sweden has a clear focus on supporting women as actors for peace and security. The Government has prepared three national action plans for the implementation of Security Council resolutions on women, peace and security, the most recent covering the period 2016–2020.<sup>26</sup> As part of its human rights-based international solidarity efforts, the third action plan defines the Government's commitment and objectives to ensure the realization and implementation of the United Nations women, peace and security agenda, especially to ensure the participation of women and girls in conflict prevention and peacebuilding processes, to strengthen protection for women and girls in conflict situations, and to reinforce a gender perspective and expertise in the work

<sup>20</sup> Ministry for Foreign Affairs, “Sweden’s feminist foreign policy: examples from three years of implementation”, 30 October 2017.

<sup>21</sup> Ibid. p. 14.

<sup>22</sup> Ibid. p. 7.

<sup>23</sup> Ibid.

<sup>24</sup> Sweden, “SEK 1 billion to Government’s first global gender equality strategy”, 13 April 2018.

<sup>25</sup> See [www.unric.org/en/latest-un-buzz/31020-guterres-praises-sweden-as-a-bridge-builder-](http://www.unric.org/en/latest-un-buzz/31020-guterres-praises-sweden-as-a-bridge-builder-).

<sup>26</sup> Sweden, “Women, peace & security: Sweden’s national action plan for the implementation of the UN Security Council resolutions on women, peace and security 2016–2020”.



for peace and security. The women, peace and security agenda was a top priority for the Government's work during its Security Council presidency.

31. The Independent Expert noted with appreciation the appointment of an Ambassador-at-Large for Children and Armed Conflict, whose role is to advocate for children's rights in conflict and post-conflict situations. This area is a key priority in Swedish foreign policy, and was one of the main priorities during the Swedish presidency of the Security Council in 2018.

32. A major exporter of weapons, Sweden has recently amended its export control regulatory framework regarding the arms trade to reinforce its intent that States to which its arms are sold must be democratic and respect international human rights. In line with the Government's human rights approach to foreign relations, it is important that a systematic monitoring and evaluation of the implementation of this framework be conducted regularly to ensure that it is effective.

#### **IV. International cooperation and humanitarian aid as forms of international solidarity**

33. Sweden demonstrates its international solidarity mainly through its development cooperation and humanitarian assistance efforts. Sweden participates in several multilateral and regional cooperation partnerships. It is one of the very few countries worldwide to meet and exceed the United Nations target set in the Monterrey Consensus of the International Conference on Financing for Development, requesting States to allocate 0.7 per cent of their gross national income for official development assistance (ODA). Since 2006, Swedish foreign development aid has amounted annually to around 1 per cent of gross national income.<sup>27</sup> In 2017, the net ODA of Sweden represented 1.01 per cent of its gross national income.<sup>28</sup>

34. Every person paying taxes in Sweden funds Swedish development aid. In 2018, the Government allocated 49 billion Swedish kronor (approximately \$5.7 billion) for its total development aid budget. The Ministry for Foreign Affairs generally allocates half of the annual budget for development aid to the Swedish International Development Cooperation Agency, the governmental agency in charge of implementing the State's development cooperation agenda.<sup>29</sup>

##### **A. Policy framework for international development cooperation and humanitarian assistance**

35. The State's agenda for development cooperation and humanitarian assistance has long been driven by a commitment to "create preconditions for better living conditions for people living in poverty and under oppression"<sup>30</sup> around the world. The objective for Sweden in providing humanitarian aid is to save lives, alleviate suffering and maintain human dignity. Sweden has been a ubiquitous voice and supporter globally on development issues and international humanitarian operations at the international, multilateral and regional levels.

36. After the adoption of the 2030 Agenda for Sustainable Development and its Goals, the Government redefined its policy for international development cooperation and humanitarian assistance of 2016 accordingly, also integrating the Addis Ababa Action Agenda of the Third International Conference on Financing for Development and the Paris

<sup>27</sup> Swedish International Development Cooperation Agency, "Swedish development cooperation and its results in figures" (2016), p. 3.

<sup>28</sup> OECD, *Development Co-operation Report 2018: Joining Forces to Leave No One Behind* (Paris, 2018), p. 391.

<sup>29</sup> See [www.sida.se/English/how-we-work/about-swedish-development-cooperation/](http://www.sida.se/English/how-we-work/about-swedish-development-cooperation/).

<sup>30</sup> *Policy Framework for Swedish Development Cooperation and Humanitarian Assistance*, Government Communication 2016/17:60, p. 4.

Agreement on climate change. The Independent Expert was pleased to learn that the three dimensions of sustainable development – economic, social and environmental – had been integrated and that human rights, democracy and the rule of law held a central place within that new policy framework for the expression of international solidarity through international cooperation and development.

37. Sweden takes a multidimensional approach to international cooperation, development and humanitarian assistance, taking into consideration that “poverty encompasses not only a shortage of material assets but also a lack of power and influence over one’s own situation, choices and safety and over respect for human rights”.<sup>31</sup> A human rights-based approach is therefore seen by Sweden as a point of departure for, among other criteria, effective development cooperation and humanitarian assistance policies and strategies with the aim to eradicate poverty worldwide.<sup>32</sup> The Government clearly states in its policy that human rights and democracy are seen as “fundamental to development”,<sup>33</sup> driven by the State’s international and regional commitments in this area.

### **Development cooperation**

38. The Government explained to the Independent Expert that its development cooperation is defined by several thematic pillars: human rights, democracy and the rule of law; global gender equality; environment and climate change-oriented development; peaceful and inclusive societies; inclusive economic development; migration and development; equal health; and education and research. All of these thematic priorities relate to the Sustainable Development Goals, and Sweden often sets objectives that are more ambitious than the ones set in the 2030 Agenda in these sectors.<sup>34</sup> For each priority area, a long-term policy direction has been designed with the common aim to provide better living conditions for people living in poverty or under oppression.<sup>35</sup>

39. The Government informed the Independent Expert that, in line with its policy framework and the 2030 Agenda, it had recently adopted a new strategy for development cooperation in the areas of human rights, democracy and the rule of law for the period 2018–2022.<sup>36</sup> The objective of this strategy is to “contribute to secure, just and inclusive democratic societies that protect and respect the equal rights of all” and will apply to activities with a “global added value”. Sweden further commits through the strategy to stand up for human rights and democratic principles when other international cooperation actors dismiss these aspects.<sup>37</sup> The Independent Expert believes that this approach is essential to the realization of international solidarity based on the principles of human rights. The strategy will also apply to the funds allocated to the Swedish International Development Cooperation Agency.

### **Humanitarian assistance**

40. The Independent Expert was informed that, in Sweden, the humanitarian assistance policy was based on five key priorities defined in the Policy Framework for Swedish Development Cooperation and Humanitarian Assistance. Guided by the principles of “good humanitarian donorship”,<sup>38</sup> these priorities are (a) to ensure greater respect for international humanitarian legal principles and standards; (b) to build a stronger, more efficient and coordinated humanitarian system to better respond to humanitarian needs worldwide; (c) to strengthen cooperation with civil society; (d) to ensure greater cooperation and increased synergies between humanitarian initiatives and long-term development cooperation to avoid

<sup>31</sup> Ibid., p. 5.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid., p. 14.

<sup>34</sup> Ibid., p. 19.

<sup>35</sup> Ibid., p. 17.

<sup>36</sup> Ministry for Foreign Affairs, “Strategy for Sweden’s development cooperation in the areas of human rights, democracy and the rule of law 2018–2022”.

<sup>37</sup> Ibid., pp. 9–10.

<sup>38</sup> See principles at [www.ghdinitiative.org/ghd/gns/principles-good-practice-of-ghd/principles-good-practice-ghd.html](http://www.ghdinitiative.org/ghd/gns/principles-good-practice-of-ghd/principles-good-practice-ghd.html).

the resurgence of humanitarian crises; and (e) to find new and innovative financing solutions.<sup>39</sup>

41. In January 2017, the Government adopted a new strategy for humanitarian aid through the Swedish International Development Cooperation Agency for the period 2017–2020. The Independent Expert notes with appreciation that gender equality, conflict sensitivity and resilience, combined with a human rights-based approach, are some of the key principles mainstreamed throughout Swedish humanitarian aid.<sup>40</sup>

## **B. Policy for development cooperation and humanitarian assistance**

### **Human rights-based approach to international solidarity**

42. The Swedish International Development Cooperation Agency, under the jurisdiction of the Ministry for Foreign Affairs, is the main governmental agency in charge of implementing State policies and strategies relating to international aid, including development cooperation and humanitarian assistance. Acting within the policy framework for Swedish development cooperation and humanitarian assistance, the Agency's main objective is to contribute to the reduction of poverty worldwide using a human rights-based approach and incorporating the perspectives of poor people on development, which has been central to all its initiatives and projects. The Agency operates within the following thematic areas: democracy, human rights and freedom of expression; gender equality; environment and climate; health; market development; agriculture and food security; education; sustainable societal development; conflict, peace and security; and humanitarian aid.<sup>41</sup> Representatives of the Agency informed the Independent Expert that it was strongly committed to mainstreaming and implementing the 2030 Agenda and the Sustainable Development Goals throughout all of those priority areas.

43. The Swedish International Development Cooperation Agency uses a human rights-based approach in all of its initiatives to achieve sustainable results. The implementation of that approach is based on identifying the human rights to be realized through a project and how to do so in a way that guarantees non-discrimination, participation, transparency and accountability as key human rights principles. Through this human rights-based approach, the Agency aims to empower boys, girls, men and women to claim their human rights (as rights holders) and to increase the capacity of those who are obliged to respect, promote, protect and fulfil those rights (as duty bearers).<sup>42</sup> Human rights-based international solidarity is a priority for the Agency and, more globally, for the Government, as the funding and support for human rights demonstrates. Indeed, the Agency allocated 5.6 billion Swedish kronor (approximately \$612 million) to democracy and human rights in 2016, making it the Agency's most important and largest thematic area (equivalent to approximately 30 per cent of its total disbursement in 2016).<sup>43</sup> In that connection, the core support given by Sweden through the Ministry for Foreign Affairs to the Office of the United Nations High Commissioner for Human Rights is to be commended.

44. With regard to gender equality, the Agency has long been committed to advancing women's and girls' rights through its development cooperation and humanitarian assistance. Grounded in the Sustainable Development Goals, this area has become a key priority for the Agency. In 2015, it presented a three-year plan along with 59 other Swedish agencies to

<sup>39</sup> Government Communication 2016/17:60, p. 42.

<sup>40</sup> "Strategy for Sweden's humanitarian aid provided through the Swedish International Development Cooperation Agency (Sida) 2017–2020", 16 March 2017.

<sup>41</sup> Swedish International Development Cooperation Agency, "Our fields of work", 7 April 2015.

<sup>42</sup> Swedish International Development Cooperation Agency, *Human Rights Based Approach at Sida: Compilation of Thematic Area Briefs* (30 October 2015); see also "Human rights based approach at Sida", 29 September 2015.

<sup>43</sup> Swedish International Development Cooperation Agency, "Democracy and Human Rights", Portfolio Overview 2016.

increase gender mainstreaming in their actions and projects.<sup>44</sup> Authorities also informed the Independent Expert that the Agency had concluded several cooperation agreements with ILO, in particular in the areas of gender equality at work<sup>45</sup> and youth employment.<sup>46</sup>

### **Partnerships to advance international cooperation**

45. To carry out its mandate and responsibilities, the Swedish International Development Cooperation Agency cooperates with government agencies, civil society organizations and international and regional bodies like the United Nations, the European Union and the World Bank. Through these partnerships and regional agreements, the Agency coordinates development and cooperation projects in countries across Africa, Asia, Europe and Latin America.<sup>47</sup>

46. During his visit, the Independent Expert had the opportunity to talk with Agency officers and to hear from several Swedish-based civil society organizations working in close partnership with the Agency, like Individuell Människohjälp (Swedish Development Partner) and Barnfonden, about their innovative and efficient work to advance international solidarity through bilateral projects in other countries. The role of civil society organizations and their cooperation with the authorities and other stakeholders is fundamental to the advancement of human rights-based international solidarity in several thematic areas, such as migration, refugees and climate change. This form of cooperation effectively contributes to the empowerment of many groups within the global population, through the establishment of development cooperation projects and programmes in which human rights principles and gender equality have pride of place.

### **Humanitarian assistance**

47. Sweden has been a long-time key actor in humanitarian assistance; for example, in 2016, it was the seventh largest donor in the world, providing close to 2.7 per cent of global humanitarian support. In 2016, humanitarian aid amounted to 6.5 billion Swedish kronor (approximately \$714 million), and the Swedish International Development Cooperation Agency received 3.6 billion Swedish kronor (approximately \$396 million) to operate its humanitarian projects and initiatives. In the event of crisis situations or unexpected events, the Agency may release its reserve funds of 1 billion Swedish kronor (approximately \$110 million).<sup>48</sup>

48. The Government informed the Independent Expert that Sweden was one of the largest donors of un-earmarked core support to United Nations humanitarian entities. The Swedish Ministry for Foreign Affairs allocated over 2.6 billion Swedish kronor (approximately \$298 million) at the beginning of 2017 to several United Nations agencies providing humanitarian aid, especially UNHCR, in solidarity and response to the migration and refugees flows in Europe.<sup>49</sup> For example, in 2016, the humanitarian budget channelled through the Swedish International Development Cooperation Agency contributed to needs in the Syrian Arab Republic, Yemen, Iraq, South Sudan, the Democratic Republic of the Congo and Afghanistan.<sup>50</sup> In 2017, the Agency continued to allocate the largest levels of humanitarian aid to help alleviate crises, mainly in countries in Africa and in the Middle East.<sup>51</sup>

<sup>44</sup> Swedish International Development Cooperation Agency, “How Sida Works with Gender Equality”, May 2017.

<sup>45</sup> Information shared by the Ministry of Health and Social Affairs on Monday 23 April 2018.

<sup>46</sup> See [www.ilo.org/wcmsp5/groups/public/---ed\\_emp/documents/article/wcms\\_230976.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_emp/documents/article/wcms_230976.pdf).

<sup>47</sup> A list of countries cooperating with Sida is available from [www.sida.se/English/where-we-work/](http://www.sida.se/English/where-we-work/).

<sup>48</sup> See [www.government.se/articles/2017/02/new-strategy-for-humanitarian-aid/](http://www.government.se/articles/2017/02/new-strategy-for-humanitarian-aid/) and [www.sida.se/English/how-we-work/our-fields-of-work/humanitarian-aid1/sidas-humanitarian-aid/](http://www.sida.se/English/how-we-work/our-fields-of-work/humanitarian-aid1/sidas-humanitarian-aid/).

<sup>49</sup> Information shared by the Ministry for Foreign Affairs on Monday 23 April 2018.

<sup>50</sup> Countries are listed in descending order in accordance with the size of the donation.

<sup>51</sup> See [www.government.se/articles/2017/02/new-strategy-for-humanitarian-aid/](http://www.government.se/articles/2017/02/new-strategy-for-humanitarian-aid/).

### Monitoring and evaluation of international development cooperation

49. The Swedish International Development Cooperation Agency, along with the Expert Group for Aid Studies,<sup>52</sup> is mandated to analyse and evaluate Swedish international development assistance, evaluate and carry out studies about Swedish development cooperation, and both institutions report to the Ministry for Foreign Affairs.<sup>53</sup> Through the evaluation process of its initiatives and programmes, and based on the results achieved, the Government, along with the Agency, may adapt international cooperation development and humanitarian assistance to respond effectively to current global challenges and the reality on the ground. For the sake of transparency and accountability, the Government regularly publishes the results of its cooperation development initiatives on the website Openaid.se in order to be open to public control and ideas from other sources.<sup>54</sup>

50. The international leadership position of Sweden, in remaining one of the few countries to contribute as extensively, actively and efficiently to human rights-based international solidarity for many years, is commendable.

## V. International solidarity with migrants and refugees

51. Sweden has a long tradition as a welcoming society for refugees, asylum seekers and migrants. Some interlocutors informed the Independent Expert during his visit that 22.2 per cent of Swedes had a foreign background and close to 18 per cent of the Swedish population had been born abroad.<sup>55</sup> At the regional and international levels, Sweden remains deeply involved in the discussions and debates concerning migration challenges and solutions. For instance, the Government had robustly defended the Global Compact for Safe, Orderly and Regular Migration and the global compact on refugees, especially during negotiations. Sweden has constantly stressed the need for greater global responsibility, sharing and collaboration and enhanced governance in these areas.<sup>56</sup> The Swedish authorities have also been very active in European Union negotiations on a revised common asylum system, advocating for a human rights and solidarity-based approach to ensure protection for asylum seekers, migrants and refugees and to achieve a more equal distribution of people between member States.<sup>57</sup> Sweden has long been a key partner for other countries in the area of human rights-based international solidarity, both within and outside the European Union, providing capacity-building training on immigration issues, such as in Serbia or Tunisia.<sup>58</sup>

### A. Migration policy since 2015 and its impact on international solidarity

52. According to the Government, the peak of asylum and refugee applications during 2015 stretched the ability of Sweden to welcome newcomers and respond to their needs. The country's welcoming asylum policy attracted thousands of people fleeing war, oppression and poverty and triggered several challenges for the State at the national and local levels. The authorities then introduced temporary identity checks and border controls. In addition, and to respond to the sudden large increase in asylum applications, the authorities decided to introduce a package of temporary measures in November 2015 to contain the migration flux, resulting in the amendment of the Aliens Act regulating immigration.<sup>59</sup> As of 20 July 2016, national immigration legislation reverted to the less

<sup>52</sup> The Expert Group for Aid Studies collaborates with researchers and other experts to improve Swedish aid in the long-term. See <http://eba.se/en/#sthash.PqeyTmf.dpbs>.

<sup>53</sup> See [www.sida.se/English/how-we-work/evaluation/](http://www.sida.se/English/how-we-work/evaluation/).

<sup>54</sup> See [www.sida.se/English/how-we-work/Reporting-and-results/](http://www.sida.se/English/how-we-work/Reporting-and-results/).

<sup>55</sup> Information shared by relevant authorities in Malmö.

<sup>56</sup> Ministry of Justice, "Sweden's migration and asylum policy", fact sheet (February 2018), p. 2.

<sup>57</sup> Ibid.

<sup>58</sup> Information shared by relevant authorities.

<sup>59</sup> See [www.government.se/articles/2015/11/government-proposes-measures-to-create-respite-for-swedish-refugee-reception/](http://www.government.se/articles/2015/11/government-proposes-measures-to-create-respite-for-swedish-refugee-reception/).

generous minimum requirements imposed by European Union standards for a three-year period. The changes detract from the more altruistic objectives that the Government set for itself before the amendment of the Aliens Act. While the temporary identity checks were discontinued in May 2017 and temporary border controls were removed in May 2018, as a result of the legislative reform, the number of people seeking asylum in Sweden decreased significantly.<sup>60</sup>

53. While acknowledging the efforts made by the Government in the aftermath of the 2015 migration crisis and in the absence of a joint European response, the Independent Expert expresses concern at the long-term implications of such restrictive measures for people seeking protection. As these measures are due to be reviewed in 2019, it is essential that they remain temporary, and are lifted. In light of the current migration context and the climate of heightened racist and xenophobic discourse against migrants and refugees in Europe, including in Sweden (CERD/C/SWE/22-23, paras. 10–11), it is essential that the State remain a leader and role model in advancing human rights-based international solidarity by providing safe and legal opportunities for asylum seekers and refugees.

54. During the 2015 migration crisis, in order to respond to the massive flux of new arrivals of refugees and asylum seekers, the Government deducted in-country refugee costs from the budget allocated to foreign development and humanitarian aid. Even though the deductions were made in accordance with OECD Development Assistance Committee rules, were due to an exceptional situation and were kept to a maximum of 30 per cent of the Swedish foreign aid budget in 2016, funding for in-country refugees should be budgeted and accounted for separately from the foreign aid budget.

55. While welcoming the choice of Sweden not to use its development cooperation and foreign aid as leverage to pressure other countries to take back migrants and refugees, the Independent Expert expresses serious concern at reports of forced returns of some asylum seekers and migrants originating from war-torn countries like Afghanistan. The people whose asylum applications have been denied may face the danger of continuing violence and a high risk of retaliation for having left. Such practices, often based on bilateral agreements (such as the memorandum of understanding with Afghanistan)<sup>61</sup> and on individualized assessment,<sup>62</sup> are incompatible with human rights-based international solidarity. Forced returns to countries where there is an imminent risk of danger for asylum seekers and their relatives should never be permitted.

56. The Independent Expert also learned more about the very strict family reunification policy. Indeed, even though a person is granted a residence permit or receives protection status as a refugee, family reunification remains uncertain. A person receiving protection status with subsidiary protection, such as an unaccompanied minor, has little chance of benefiting from family reunification in Sweden unless that person is granted a permanent residence permit, a process that can take up to several years. The Independent Expert expresses concern at these rules, especially regarding the strictness of family reunification processes for people recognized as refugees. Such rules should be brought into line with the right to family life, which becomes particularly important and essential for refugees who have fled from their own countries. Integrating a human rights-based approach in family reunification processes for refugees should be recognized as a good practice that helps to advance the goal of human rights-based international solidarity.

57. Interlocutors brought to the attention of the Independent Expert the challenges relating to unaccompanied minors arriving in Sweden, especially during the second half of 2015. While most of these children and young adults receive a residence permit, some may not be granted authorization to stay in the country and may be forced to return to their country of origin, after an assessment of the conditions that that particular child would face upon her or his arrival in the country of origin. Authorities also informed the Independent Expert that unaccompanied children can sometimes “disappear” during the asylum process.

<sup>60</sup> Council of Europe, “Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to Sweden from 2 to 6 October 2017”, 16 February 2018, p. 6.

<sup>61</sup> See Sweden, “Agreement between Sweden and Afghanistan on readmission”, 26 October 2016.

<sup>62</sup> Information shared by relevant authorities.

The situation of unaccompanied children triggers several challenges for Swedish institutions, especially in the municipalities in which the children live, which are responsible for practical issues relating to those children, including their education, health care and housing.<sup>63</sup> While noting the complexity of the situation, the Independent Expert was pleased to hear about the efforts made by the authorities to ensure the protection of these children, including through the establishment of a national knowledge centre for unaccompanied children, as well as the monitoring and reporting work of the Swedish Ombudsman for Children.

58. The Independent Expert was made aware of some cases in Sweden in which persons faced criminal charges for coming to the aid of refugees and asylum seekers in need, including unaccompanied children, on humanitarian grounds. Such persons can be charged with human smuggling. Such acts should, as is the law in some other countries, be covered by a humanitarian exemption.

## **B. Good practices and positives initiatives in response to the recent migration flux**

59. Despite the exceptionally high number of newcomers arriving on its territory, Sweden has generally managed to ensure a human rights-based solidarity-oriented response to the large flows of migrants, asylum seekers and refugees. Since 2016, the Government has made greater efforts to welcome significant numbers of refugees, increasing its quota from 1,900 to 5,000 places. As a result, Sweden became the third largest recipient country of refugees worldwide, after the United States of America and Canada, which is illustrative of its continuous and exemplary determination to guarantee the protection of these vulnerable groups and advance human rights-based international solidarity. In 2017, most of the refugees who arrived in Sweden were from the Syrian Arab Republic, and from East and North Africa.<sup>64</sup>

60. Recognizing that some of the above-mentioned challenges were triggered by a lack of a joint European response to the asylum seeker and refugee flows, the Independent Expert notes with appreciation the positive initiatives implemented by the Swedish authorities to ensure the effective integration of newcomers into the country. For example, the Ministry of Employment informed the Independent Expert of the introduction programme and other resources available to strengthen the integration of newly arrived migrants into the labour market and Swedish society. Several measures are initiated when a person applies for asylum with the Swedish Migration Agency. The integration policy put in place by the authorities focuses on employment from day one. Therefore, a mapping of skills is undertaken for each applicant and all newcomers receive Swedish language classes to facilitate their integration into the labour market and society.<sup>65</sup> Swedish authorities also informed the Independent Expert that, despite the efforts made to respond to the urgent needs of newcomers and to facilitate their integration into Swedish society, some important challenges remained, including due to a general shortage of housing in Sweden.

61. The Independent Expert was also pleased to learn that newcomers had some access to medical and social services. All asylum seekers arriving in the territory are entitled to a free health check-up upon arrival, and children are entitled to free health care and education. Asylum seekers over 18 years old have access to urgent health care, and those registered as asylum seekers are entitled to pay only 50 Swedish kronor (approximately \$5) for a health-care visit. During his visit to Malmö, the Independent Expert was informed of local and regional initiatives to provide assistance to asylum seekers and refugees. He welcomes the initiative by Skåne County to establish a Knowledge Centre for Migration and Health that aims to provide more equal and safe care to people from other countries. He notes with appreciation that special emphasis is paid to the mental health status of migrants and

<sup>63</sup> Information shared by relevant authorities.

<sup>64</sup> See [www.migrationsverket.se/English/About-the-Migration-Agency/For-press/News-archive/News-archive-2018/2018-02-20-Sweden-is-the-third-largest-recipient-country-of-quota-refugees.html](http://www.migrationsverket.se/English/About-the-Migration-Agency/For-press/News-archive/News-archive-2018/2018-02-20-Sweden-is-the-third-largest-recipient-country-of-quota-refugees.html).

<sup>65</sup> Information shared by relevant authorities.

refugees, with particular attention paid to those fleeing war and conflict zones, those who have experienced torture and ill-treatment, and those who have escaped an oppressive situation.

62. At the municipal level, several initiatives have also been taken to ensure the integration of newcomers into Swedish society, including in partnership with civil society organizations. For instance, the Independent Expert welcomes the establishment of peer-to-peer meetings between asylum seekers, refugees and migrants and Swedes, in partnership with the non-governmental organization Individuell Människohjälp (Swedish Development Partner) through the project Duo Stockholm.<sup>66</sup> The project offers newcomers the possibility to improve Swedish language skills and cultural knowledge. The project is a good practice for advancing international solidarity at the local level.

## **VI. Climate change, preservation of the environment and international solidarity**

63. The Independent Expert notes that Sweden has long been an innovator in finding ways to live in a more sustainable and environmentally friendly way. The State has also long been committed, nationally, regionally and internationally, to the fight against global warming and to the protection of the environment. Indeed, in 1967 it became the first country to establish an environmental protection agency, the Swedish Environment Protection Agency. In 1972, Sweden hosted the first United Nations conference on the environment, leading to the creation of the United Nations Environment Programme. Sweden has also ratified several international treaties on climate change, including the United Nations Framework Convention on Climate Change and its Kyoto Protocol. In 2001, it was also a key influencer in the adoption of the Stockholm Convention on Persistent Organic Pollutants, aiming at eliminating or restricting the production and use of persistent organic pollutants.<sup>67</sup>

### **A. International advocacy and support for environment-oriented development**

64. The authorities and people of Sweden have recognized for decades now the urgent need to combat climate change and evolve the country's energy consumption and social lifestyle to preserve the environment and ensure sustainable development. Sweden is a strong and leading voice in suggesting and defending sustainable, safe and long-term solutions to protect the environment, especially in international forums like the annual Conference of the Parties to the United Nations Framework Convention on Climate Change. Along with 179 other countries, Sweden ratified the Paris Agreement at the United Nations Climate Change Conference in Paris in 2015 with the aim of combating climate change and accelerating and intensifying the actions and investments needed for a sustainable low carbon future.

65. Following the ratification of the Paris Agreement, in 2017 the Government adopted a climate policy framework to comply with the Agreement's principles and to implement the Sustainable Development Goals nationally with regard to the environment and climate change. The framework is based on three pillars – the Climate Act, climate goals beyond 2020 and a climate policy council that reviews the policy – and provides the long-term conditions that will allow companies and society to make the transition towards a sustainable world. According to the Climate Act, which entered into force on 1 January 2018, each new government will be required to pursue a climate policy based on the goals adopted by the Riksdag and to present a climate report every year in the budget bill.<sup>68</sup> Furthermore, in March 2018, the Government agreed a new strategy for its global

<sup>66</sup> See [manniskohjalp.se/matchning/duo-stockholm](http://manniskohjalp.se/matchning/duo-stockholm) (in Swedish).

<sup>67</sup> See [sweden.se/nature/sweden-tackles-climate-change/](http://sweden.se/nature/sweden-tackles-climate-change/).

<sup>68</sup> See [www.government.se/articles/2017/06/the-climate-policy-framework/](http://www.government.se/articles/2017/06/the-climate-policy-framework/).



development cooperation in the areas of environmental sustainability, sustainable climate and oceans, and sustainable use of natural resources for the period 2018–2022.<sup>69</sup>

66. The Independent Expert was informed that the Government had declared the environment to be a political priority, and was integrating an environmental and climate perspective into its international cooperation and development policies through the activities and initiatives of the Swedish International Development Cooperation Agency. The objective is to strengthen and promote environmental sustainability in different sectors and in dialogue with stakeholders at all levels.<sup>70</sup> Sweden acknowledges that changes in climate, combined with the overexploitation of natural resources and air and water pollution, severely affect people living in poverty, who are the target group of Swedish international development cooperation policy. In June 2017, the Agency adopted a new Environmental Action Plan for 2017–2020, which defines goals with regard to climate analysis, finance and dialogue partnership to increase the Agency's efforts in this area.<sup>71</sup>

67. Following its long-standing human rights-based international solidarity in this area, the Government provides support through the actions of the Swedish International Development Cooperation Agency in the framework of bilateral, regional and global development cooperation strategies. Several organizations and projects in other countries that have environmental or climate change actions as their main objectives have benefited from Swedish grants for climate actions, which made up 15 per cent of the Agency's disbursements in 2016.<sup>72</sup> In 2015, the Agency contributed financially to global as well as regional Asian and African organizations and made bilateral contributions to actors in Albania, Cambodia, Kenya and Serbia in the environmental sector.<sup>73</sup> In 2016, Kenya, Mozambique and the United Republic of Tanzania were the main bilateral recipients of climate financing from the Agency, along with the Plurinational State of Bolivia and Bangladesh.<sup>74</sup>

68. The significant efforts of Sweden in its international advocacy to combat climate change, as well as its international cooperation strategy to support actors working for the preservation of the environment and biodiversity, considerably contribute to international solidarity in this area.

## **B. International partnerships to ensure a sustainable environment and society nationally and locally**

69. The Independent Expert was pleased to learn about the many innovative ways Swedish institutions, businesses and society intend to ensure a more sustainable society in Sweden and abroad and comply with the climate goals set by the Government. Sweden is recognized as one of the most innovative countries in the field of environment-related technology,<sup>75</sup> and the Independent Expert notes with appreciation a strong and significant contribution to international solidarity in this area, especially at the city and county levels. For example, the Stockholm County Council has established several procurement partnerships with companies established in other countries that are using a human rights-based and sustainable development approach, especially in the areas of public

<sup>69</sup> See [www.government.se/articles/2018/03/new-strategy-to-increase-the-level-of-ambition-regarding-global-efforts-on-the-environment-climate-and-oceans/](http://www.government.se/articles/2018/03/new-strategy-to-increase-the-level-of-ambition-regarding-global-efforts-on-the-environment-climate-and-oceans/).

<sup>70</sup> Swedish International Development Cooperation Agency, "Environment and climate", 8 August 2017.

<sup>71</sup> Swedish International Development Cooperation Agency, "Environmental targets 2017–2020", November 2017, available at [www.sida.se/contentassets/c571800e01e448ac9dce2d097ba125a1/environmental\\_targets\\_2017-2020.pdf](http://www.sida.se/contentassets/c571800e01e448ac9dce2d097ba125a1/environmental_targets_2017-2020.pdf).

<sup>72</sup> Swedish International Development Cooperation Agency "Climate change: increasing support for climate action", portfolio overview 2013–2016.

<sup>73</sup> Swedish International Development Cooperation Agency, "Environment and climate change: a sustainable development within planetary boundaries", portfolio overview 2015.

<sup>74</sup> Sida "Climate change: increasing support for climate action", portfolio overview 2013–2016, available at [www.sida.se/globalassets/sida/eng/partners/green-tool-box/portfolio-overview-sida-climate-2013-2016.pdf](http://www.sida.se/globalassets/sida/eng/partners/green-tool-box/portfolio-overview-sida-climate-2013-2016.pdf).

<sup>75</sup> OECD, *OECD Environmental Performance Reviews: Sweden 2014* (Paris, 2014).

transportation, health care and information technology services.<sup>76</sup> In the medical area, most products (such as textiles, anaesthetic gases and pharmaceuticals) have been replaced with sustainable products, made of recycled plastic bottles and cellulose fibre from wood, for instance.<sup>77</sup> Thanks to this sustainable approach in the areas of public transportation, medical gases and public buildings, the Stockholm County Council reduced its greenhouse gas emissions by 44 per cent between 2011 and 2016.<sup>78</sup>

70. While visiting the City of Malmö, the Independent Expert also noted with appreciation the efforts made by the municipality to integrate the 2030 Agenda and the Sustainable Development Goals into its policies, especially with regard to climate change. The active participation of Malmö and Stockholm in European and international networks, as well as in other cooperation partnerships to promote Goal 6 (clean water and sanitation) and Goal 14 (life below water), contribute to the Swedish effort and commitment to promote a clean and sustainable environment and advocate for its protection. The Independent Expert recognizes these actions as clear expressions of human rights-based international solidarity or of efforts to advance it.

## VII. Conclusion and recommendations

71. The Independent Expert commends the Government of Sweden and Swedish society for having endorsed and demonstrated, in line with its long tradition of human rights-based solidarity at both the domestic and international levels, its support for the concept and practice of human rights-based international solidarity as a duty of the State and society. He welcomes the new strategy adopted by the Swedish International Development Cooperation Agency for development cooperation in the areas of human rights, democracy and the rule of law for the period of 2018–2022, and encourages the Agency to pursue its efforts to advance human rights and gender equality worldwide through its actions.

72. Furthermore, the Independent Expert congratulates the Government and all relevant stakeholders on embracing the Paris Agreement on climate change and the Sustainable Development Goals to ensure a sustainable approach to their environmental actions, inside and outside the country. He notes with appreciation the environmental and sustainable approach of the Government in its policies and strategies in all relevant activity sectors, as well as in the work of the Swedish International Development Cooperation Agency.

73. The steps taken by Sweden to respond to migrants' and refugees' rights, especially in the wake of the peak migration flows to Europe in 2015, are noteworthy and welcome. However, in light of the rise of xenophobic populist discourse against migrants and refugees in Sweden witnessed during the recent political campaign, and the increased success enjoyed by populist elements in the results of that election, the Independent Expert emphasizes that such discourse, especially as it is directed towards refugees and migrants, tends to jeopardize and considerably threaten efforts to advance human rights-based international solidarity.

74. The Independent Expert was impressed by the ability and will of the Government, as well as the representatives of civil society, business and social partners that he met, to rethink the ways of addressing the many global challenges currently facing the international community, especially with regard to climate change and migration issues. The broad consensus within Swedish society and across the political spectrum on the imperative of practising human rights-based international solidarity, witnessed by the Independent Expert during his visit, is admirable.

<sup>76</sup> Information shared by Stockholm County Council interlocutors.

<sup>77</sup> Ibid.

<sup>78</sup> Ibid.

75. The Independent Expert makes the following recommendations:

(a) The authorities should strengthen their efforts with regard to the monitoring and evaluation of the implementation of the 2030 Agenda through all laws, policies, regulations, plans of action, programmes and partnership agreements, in order to obtain a fair and transparent assessment and review;

(b) The Government should sign and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. It should also take into consideration, in addition to the outcome of the universal periodic review, the concluding observations of the Committee on Economic, Social and Cultural Rights when negotiating partnership frameworks;

(c) All Swedish-based business companies and funds should integrate the Guiding Principles on Business and Human Rights into their day-to-day operations and in activities related to the advancement of international solidarity. In this regard, the Independent Expert also commends the commitment of Sweden to corporate social responsibility and its creation and implementation of the Global Deal initiative, and urges it to continue to strengthen its commitment to international solidarity in this area beyond the corporate social responsibility framework;

(d) With regard to the arms trade, the implementation of the newly adopted export control regulatory framework regulating this trade should be systematically monitored and evaluated to ensure its effectiveness in practice in conforming with the Government's human rights-based approach to foreign relations.

76. With regard to international cooperation and development aid in compliance with human rights-based international solidarity, the Government and the Swedish International Development Cooperation Agency should strive to reinforce bilateral and multilateral partnerships with all relevant actors (e.g., civil society organizations, business, social partners and international and regional organizations) in this area, while strengthening their commitment to a human rights-based approach in all their relationships.

77. While the Independent Expert acknowledges the considerable efforts made by Sweden in the wake of the 2015 migration crisis in Europe, in the absence of a joint European Union response, the Government should ensure that any remaining aspects of the temporary measures adopted in 2015 and implemented in 2016 are removed, at the very least by the end of the three-year period in 2019.

78. The Independent Expert also recommends that:

(a) Funding for in-country refugees be budgeted and accounted for separately from the foreign aid budget;

(b) Increased efforts be made to ease the process of family reunification for persons granted refugee status in Sweden;

(c) The forced return of migrants be conducted in compliance with international refugee and human rights protection requirements, and the principle of international solidarity. The Government should refrain from forcibly returning people to war-torn countries, where they may face violence, oppression and retaliation for having left. Such practices are contrary to human rights-based international solidarity;

(d) In light of the rise of xenophobic populist discourse against migrants and refugees in Sweden within the latest political campaign, Sweden renew and enhance its efforts to combat such discourse, especially as it is directed towards refugees and migrants, as it tends to jeopardize and considerably threaten efforts to advance human rights-based international solidarity.

79. With regard to the actual and potential criminalization of acts of humanitarian assistance offered to refugees and asylum seekers, the Independent Expert recommends that such acts of assistance be covered by a humanitarian exemption under Swedish law (as seen in other countries).

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