



# Sweden



Improving the lives of trans people in Sweden was at the forefront of several initiatives in 2015. In a bid to overhaul existing legal gender recognition legislation, proposals to simplify the process for all trans people (including young trans people) were announced. Two new health treatment protocols, one focusing on trans people under 18, aimed to make access to gender affirming treatments equally available to trans people all over the country. Investment in diversity education was announced in Stockholm. However, some tensions were evident throughout the year, as several religious leaders and politicians made anti-LGBTI statements, or used LGBTI issues as a platform against other communities.

## Access to goods and services

- In June, the district court in Gothenburg granted SEK 10,000 (approx. EUR 1075) compensation to a female couple who had been told to stop kissing in a restaurant by a waiter. The Equality Ombudsman took the case to court, but the restaurant failed to respond. In the restaurant's absence, the court found in favour of the women.
- In October, the Göta Hovrätt court of appeal granted a compensation of SEK 20,000 (approx. EUR 2,150) to a woman from Östergötland. The Equality Ombudsman had sued after the woman was asked by the fertility clinic to pay more for an insemination treatment because she had a female partner. The issue of unequal costs had been rectified by politicians before the court decision.
- In December, the Equality Ombudsman took up its first-ever case concerning discrimination on the grounds of gender identity/gender expression. The Ombudsman sued a restaurant in Malmö after a waiter quit due to continual harassment because of his sexual orientation and gender expression. The case was on-going at the end of the year.
- Also in December, Malmö's independent Equality Bureau awarded a seven year-old child SEK 15,000 (approx. EUR 1600) in compensation after a barber in the city refused to serve them. The child identified as male (having been registered as female at birth) but the barber stated that they "only did haircuts for boys".

## Asylum

- During the summer, LGBTI NGO RFSL and five NGO and business partners launched the *Jagarfri.nu* campaign to highlight the personal stories of LGBTI asylum seekers in Sweden.
- Asylum lawyers in RFSL worked with approximately 150 cases of asylum seeking LGBTI people during the year, and assisted in additional cases, handled by other lawyers.
- Government proposals, put forward in November, to change the asylum system included a new policy regarding the definition of 'others in need of protection'. The policy change proposed that this group would no longer be able to claim asylum; LGBTI NGO RFSL estimated that up to a third of LGBTI asylum seekers in Sweden might belong to this group. The changes are expected to

come into force during 2016. Additionally, a new rule that all asylum seekers must have identification documents was passed in December and will take effect on 4 January 2016.

## Bias-motivated speech

- A pastor and former parliamentary candidate for the Christian Democrats (KD) wrote a joint opinion piece along with other religious leaders calling homosexuality a "sin". When asked to clarify his position, Tommy Dahlman said that gay people "will go to hell". In April, the bishop of the Swedish Church in Gothenburg and the Christian Democrats distanced themselves from Dahlman's views.
- In April, a priest apologised for comments he made about gay and lesbian people in the Catholic parish of Ärkeängeln Sankt Mikael in Växjö. Father Ingvar Fogelqvist said that some gay people can be "cured" of their "psychological disorder" and that they should not take on the responsibility of family life.
- Christian Democrat (KD) councillor Morgan Emgardsson disagreed with Västerås City Council's decision to fly a rainbow flag in support of Pride events in June, saying that if the rainbow flag was allowed, then other flags such as ones bearing swastikas must be approved as well. His fellow council members and KD spokespeople said the remarks were unacceptable.
- An imam from the town of Halmstad who called homosexuality a "virus" was not charged with a violation of hate speech laws. The RFSL Halland section filed a complaint. In October, chief prosecutor Charlotte Österlund dropped the case, saying while the comments were reprehensible, they were not criminal, as they were taken out of context and did not intend to incite hatred.
- In July, Jan Sjunnesson, a contributor to *Avpixlat*, a website which frequently publishes racist, homophobic and transphobic statements, and with connections to the far-right party The Sweden Democrats (SD) announced he was organising a 'pride march' in Stockholm on 29 July. A very limited number of people attended Pride Järva as it marched through Tensta, an area of the city where many migrants live. An alternative, anti-racist, pride event was organised by local LGBTI activists.

## Data collection

- The results of the Public Health Authority's survey of 800 trans people, published in June, revealed that 20% of respondents had experienced transphobic violence and 36% had contemplated suicide in the previous 12 months.

## Diversity

- During Stockholm Pride, a section for LGBTI people of African descent marched for the first time, organised by the LGBT group within Black Coffee, a network for people of African descent living in Sweden.

## Education

- RFSL Ungdom, the Swedish youth federation for LGBTQ rights, released a project called Diskrimineringskartan.se in May; a viral map where LGBTQ people could report discrimination they faced in school. From May- August, the website received over 500 reports from LGBTQ people aged 13 -18. None of the people who reported an incident of discrimination had contacted the police, as they feared their complaint would not be taken seriously.

- In August, the city of Stockholm announced that it will spend SEK 8 million (approx. EUR 870,000) on LGBT awareness programmes in schools. The initiative was proposed by feminist party Feministiskt Initiativ (Fi) and will run from January 2016 in cooperation with, among others, LGBTQ organisation RFSL.

## Equality and non-discrimination

- A final report under the UN's Universal Periodic Review process was adopted for Sweden in 2015 (see **United Nations**).

## Health

- In September, Södersjukhuset Hospital in Stockholm opened what is thought to be the world's first clinic for male rape victims, when making the centre's services available to all victims of rape, regardless of gender identity or expression.

## Legal gender recognition

- In January, a public investigation (initiated by the former government) put forward a suggestion to update

the existing gender recognition legislation. The plan was to replace the current act, dating from 1972, with two new laws, clearly separating the legal and medical procedures and lowering the age limit. The government had not put forward a proposal to change the law by the end of the year.

- In July and October, courts in Stockholm and Gothenburg respectively, in two separate cases, had ruled that trans men who had given birth to their children had the right to be registered as fathers in the population registry. The Supreme Administrative Court announced that the tax agency had withdrawn their appeal in November, meaning the previous decisions handed down by the two lower courts would stand.

## Public opinion

- According to Eurobarometer 2015, 63% of people surveyed in Sweden believe that discrimination on the basis of sexual orientation is widespread (EU28 average was 58%). When asked about gender identity, 69% felt discrimination on this ground was widespread (EU 28 average was 56%). 95% totally agreed with the statement that LGB people should have the same rights as heterosexual people (EU 28 average was 71%). When asked to grade how comfortable they would be with certain scenarios on a scale of 1 (not comfortable at all) - 10 (totally comfortable), 96% said they would be comfortable or moderately comfortable with an LGB work colleague (EU28 average was 72%). When asked about a potential trans work colleague, 93% said they would be comfortable or moderately comfortable (EU28 average was 67%).

## Social security and social protection

- The National Board of Health and Welfare published two new treatment protocols in April, one for under 18s and another for those aged 18 and over. The guidelines, which came into effect immediately, aim to improve the gender affirming treatments and make publicly funded surgeries and hormone therapies available to trans people equally across the country.