



Church of Sweden 

## Oral statement by Church of Sweden and the Christian Council of Sweden for the Third Universal Periodic Review of Sweden

### UPR Pre-session

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State under review: Sweden

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Mrs. Chair and colleagues at the table, distinguished delegations, especially the delegation of Sweden, Representatives from UN agencies and colleagues from Civil Society.

I make this presentation on behalf of Church of Sweden and its 6 million members, and also on behalf of our partner, the Christian Council of Sweden and on behalf of the Sami Council of Church of Sweden, represented in this room by its President, Mrs. Ingrid Inga.

**As Churches, we** believe it is our duty to defend all human rights entitled to all individuals.

I would kindly refer you to our written submission, available at the entrance, and now I would like to make some remarks on concrete prioritised topics.

We endorse the previous speakers' statements **on racism, hate crimes, discrimination and harassment**, specifically against ethnical and religious minorities, in particular Muslims and Jews.

We would also like to mention our concern about the Swedish migration authorities' repeated refusal to consider **converted asylum seekers** as genuine Christian and the consequent denial of their asylum-applications. We welcome the Government's recent instructions to the Migration Agency requiring uniform praxis in asylum cases based on religious conviction. However, we believe that for upholding the principle of *non-refoulement*, Sweden must undertake more effective action for the right of the individual to change religion.

**In this regard, we suggest the following recommendations:**

**Firstly: Increase the expertise of asylum officials on the application of migration legislation, so proper relevance can be given to written proof in the migration process, e.g. statements from churches.**

**Finally: Upholding the principle of non-refoulement, taking measures to effectively protect asylum seekers' right to leave their present religion, or to change their religion for another one without risking persecution in their home country.**

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In our report, we also raised the question of repatriation and reburial of human remains of the **Sami people in Sweden**, and this is the issue I would like to focus on during these few minutes I have left:

During the previous UPR cycles, Sweden accepted 17 recommendations addressing the rights of the Sami people. However, for accomplishing the Swedish commitments under article 12 of the UN Declaration on the Rights of Indigenous Peoples, the issue of repatriation of Sami human remains yet has to be specifically addressed.

In Sweden, there is a significant number of Sami human remains still kept by 11 State museums and in 3 universities (Lund, Karolinska institutet and Uppsala).

Repatriation consists in a process of returning remains of humans or objects to places or areas from where they originated, according to the Sami parliament's definition.

They are considered to be state-owned property, although they were collected through the systematic practice of illegal grave exhumations and plundering

during the 19<sup>th</sup> Century lasting even until the 1930s in Sweden. Especially craniums belonging to Sami people had a commercial value and were purchased and exchanged as exotic objects for investigations, and even sent abroad. The interest on Sami people human remains was built upon a racial ideology predominating in Sweden at the time, according to which the Sami were considered to be an inferior race than the Swedes, legitimising widespread discrimination, marginalisation, social and cultural oppression against the Sami people in Sweden.

Since 2007, the Sami people in Sweden have requested the Swedish state to identify, inventory and repatriate the remains in accordance with Sami spirituality and traditions. However, such requests have only been successful in a few cases. For the Sami people, this is still an open wound and, as affirmed by Archbishop Antje Jackelén, Church of Sweden considers that keeping Sami remains at museums is both unworthy and inhuman.

In this regard, we believe that Sweden must further develop and harmonise relevant **Swedish laws**, namely the Funeral Act (Begravningslagen), the Museum Act (Museilagen), and the Cultural Environment Act (Kulturmiljölagen) as well as the Sami Parliament act (Sametingslagen), in order to fill the legal gaps regarding, among other, the definition of repatriation and establishing a standard procedure for repatriating human remains illegally obtained. This should also include an official recognition and explanation about this practice as well as clear regulations on public budgetary allocations for this purpose.

The **ceremony of Lycksele** in Northern Sweden last 9<sup>th</sup> of August, where 25 human remains were repatriated after 69 years was an **effort that took 6 years** to be implemented, and is a successful pilot project on cooperation between local and regional governments and the Sami people.

Therefore, and based on relevant recommendations previously accepted, we are convinced that the upcoming UPR of Sweden offers an opportunity for dialogue on necessary legal reforms towards the effective repatriation of all Sami human remains during the coming implementation period.

**Based on the latter, we would respectfully encourage all Member States to consider to put forward the following two recommendations:**

**Firstly:**

**Guarantee prompt repatriation of all Sami human remains held by the Swedish State to the Sami People and their reburial according to Sami**

**traditions by, inter alia, enact, harmonise and enforce relevant domestic law, ensuring the Sami's meaningful participation in this process, in accordance with article 12 of UN Declaration on the rights of Indigenous Peoples.**

**Finally:**

**Provide effective reparations to the Sami people, including satisfaction and guarantees of non-recurrence for the seizure of Sami human remains through the celebration of reconciliation ceremonies for their repatriation and reburial, in accordance to relevant Sami spirituality and traditions.**

Thanks again to UPR-Info for giving us the floor today, and on behalf of Church of Sweden, its members and its partners, I would like to thank all delegations attending, in particular the Swedish Delegation, and the public. We remain at your disposal for your questions and requests on the topics discussed.

Thank you!

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