



NEWS REPORT

Date:	25 November 2010
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Title:	Constitutional changes in Sweden regarding anti-discrimination
Country:	Sweden
<u>Context</u>	
Issue at stake:	The extent of discrimination law principles in the Swedish Constitution
Ground of discrimination:	All
Source:	Legislation
Fields	All fields
Legislative provisions:	The Instrument of Government, Chapter 1 Article 2; Chapter 2, Article 5

Content

Legislative development: Swedish constitutional law is comprised by four different statutes, i.e. the Instrument of Government, the Act of Succession to the Throne, the Freedom of the Press Act and the Fundamental Law on Freedom of Expression (*Regeringsformen*, *Successionsordningen*, *Tryckfrihetsförordningen* and *Ytrandefrihetsgrundlagen*, respectively). The Parliament may amend or revise them, but the proposed changes must be voted twice with a general election being held between the two votes. This had been proceeded through in Sweden. On 24 of November 2010, the Parliament voted for the second time on the new constitutional rules that will now enter into force on 1 January 2011. Among many other changes the most important ones relate to the discrimination field.

The Sami People will be specifically mentioned in the Instrument of Government (Chapter 1 Article 2). The Constitution will require (*skall*) from 2011 public authorities to promote the possibilities for Samis and other ethnic minorities, language based minorities and religious minorities, to preserve their culture and societal life. Today public authorities are only recommended (*bör*) to do so and Sami people are not expressly mentioned.



In Chapter 2 Article 15 of the Instrument of Government we currently find a rule stating that legislation entailing discrimination of individuals belonging to minorities with regard to race, colour or ethnic origin is prohibited. With the new constitutional changes this provision will become Article 12 and sexual orientation will be protected as well.

The requirement that, to become a Government Minister, 10 years of Swedish citizenship must be shown, will be abolished. The requirement of Swedish citizenship for judges will however remain.