

## HRJust's Pathway Towards Impact

The example of the proposed law as to monitoring children, mostly boys living in migrant areas, in Sweden through electronic ankle bracelets as raised in the legislative preparatory work, An Act on Social Services for Guardians, Children and Young People in the Absence of Consent (Ds 2024:30)

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# HRJust's Pathway Towards Impact: Ankle Monitors

## Background

Identification of a Human Rights Justification by the HRJust project. Multiple human rights justifications were identified within the project as used by the Swedish Government to justify the use of electronic ankle bracelets on children as young as 13 years old. The proposed law is primarily aimed at boys with migrant backgrounds in socio-economic vulnerable areas. The child does not have to be accused or suspected of having committed any crime, it is enough that the child might have been disrespectful to a teacher or parent to give rise to the use of an electronic ankle bracelet to monitor whether the child follows the plan as developed by the social services for the objective of changing the child's behavior.



In the legislative preparatory work (Ds 2024:30) authored by the Ministry of Social Services, one of the identified human rights justifications refers to Article 19 of the UN Convention on the Rights of the Child (CRC). The

argument is that the Swedish government is fulfilling its obligations under Article 19 which states that the State parties shall prevent all forms of child abuse, and one way of protecting a child from abuse is to support the parents. According to the government, forcing a child to wear an electronic monitoring ankle bracelet without the consent of either the child or the parents for acts that are not in themselves criminal, such as being disrespectful towards parents, constitutes a fulfillment of the Child Rights Convention.

The proposed law was strongly criticized by civil society particularly child rights organizations, several courts, and the Parliamentary Ombudsman, to name a few. They recommended that the proposal be rejected and not be put forward to the legislature because the legislative proposal violates, e.g., the child's right to privacy as set out in the Child Rights Convention.

# Mapping and identifying relevant social issues of importance to society and civil society

## Step 1: Outreach to Civil Society



Outreach to Civil Society by the HRJust project, especially child rights organizations with high expertise and willingness to participate in the co-production of knowledge. In this case the organization BRIS, one of the leading child rights organizations promoting the rights of the child in Sweden, is also a member of the advisory board of HRJust. In several initial meetings we in the HRJust project discussed the meaning of the legislative preparatory work with BRIS.

Marie Angsell, BRIS expert

## Creation of Underpinning Material

We created two sets of underpinning materials within the HRJust project based on this co-production of knowledge. One contains a focus on Civil Society – including a short documentary film where children with migrant backgrounds in their own words tell what they think about the proposed law, i.e. using electronic monitoring ankle bracelets on children for having been disrespectful towards teacher or parents. The other set of underpinning materials is of a more academic nature, a scientific report, and two law review articles on the topic.

## Step 2: Creation of Underpinning Material for Civil Society

The creation by HRJust of underpinning material for civil society: in our case a film where children who will be affected by this law participate in making a short documentary film about how this type of law will affect their community. The law is aimed at children in the migrant areas because the preparatory work of the law identifies the migrant areas as the place where this type of support to parents is needed in accordance with Article 19 of the CRC. The motivation is that the parents have difficulties understanding and adjusting to Swedish ways of being.



The Filming starts



BRIS contributed with expert knowledge and shared its developed method termed “The Child Expert Method.” This provides a method for how to guarantee both the quality and the protection of the children participating in the film.

Film producer Gorki Muller and Child Participant D

## Step 3: Creation of Scientific Underpinning Material

The creation of scientific underpinning material within the HRJust project:

a) A report on how human rights organisations respond to the use of Human Rights Justifications: Human Rights Justifications in Swedish legislative preparatory works, by Researcher Haidar Al-Amirtaha and Dr. Maria Nääv, both from Gothenburg University.



This scientific report uses Constructive Grounded Theory in analysing how Civil Society responds to Government's use of Human Rights Justifications in legislative preparatory works (Ds 2024:30). The conclusion reached is that it is a challenge



for Civil Society to respond to legislative proposals using Human rights justifications because this form of legislative technique is highly specialised and requires high levels of legal capacity – a capacity that is difficult for these child rights organisations to have in-house.

b) The authoring of a peer-reviewed legal academic article by Dr. Maria Nääv, Gothenburg University, “*Lagrådet i reformernas tid*” [The Legislative Council in the era of reform] published in *Förvaltningsrättsligtidskrift* [Administrative Law Journal] 2026.

c) The authoring of legal academic article, by Maria Grahn-Farley, “The Silent Sound of Drowning,” 51 Brooklyn Journal of International Law (2025) 1- 47,



The Silent Sound of Drowning: Human Rights Justifications and Complex Intersectionality

Maria Grahn-Farley

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### Abstract

This Article presents a new concept, “Human Rights Justifications,” which captures instances in which states invoke human rights to defend and legitimize their own actions. Human Rights Justifications stand in contrast to cases in which human rights are activated by an individual holding the state accountable for its actions. The difference between when a state and when an individual is the activating subject is that with the former, human rights risk serving the state in legitimizing its actions, instead of serving the individual as a protection from the state. This occurs because, when the state activates human rights, it also decides which right to activate, when to activate it, and against which other rights and interests each right should be balanced. The Article presents four methods of Human Rights Justifications: 1) Directly appealing to a human right. 2) Using the United Nations (UN) Committees human rights doctrine. 3) Using international public law principles. 4) Misrepresenting the ordinary meaning of the treaty text. Recent developments in far-right Swedish politics illustrate the risks and vulnerabilities of international human rights within municipal legal systems, especially when there is no external judicial review and political sentiment targets specific groups, in this case, children with migrant backgrounds.

### Recommended Citation

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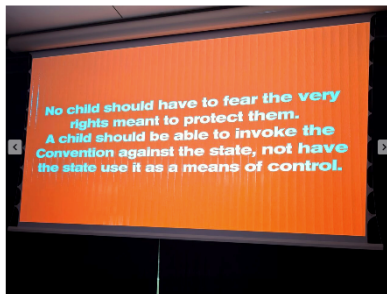




# Dissemination and Communication of Research Results and Co-produced Knowledge

## Step 4: Dissemination towards Key Stakeholders

Dissemination by HRJust of both the film and the underpinning material, the report, towards the identified stakeholders, the Minister of Social Services (who proposed the law), the Queen of Sweden, Child Rights Organizations, the National Board of Health, and the Association for Counties and Municipalities. The Film was shown at the Nordic Rule of Law annual conference, organized by HRJust and Civil Rights Defenders (December 2025)



The Nordic Rule of Law Conference December 2025

## Step 5: Dissemination towards Academia

Dissemination by the HRJust project of the underpinning material to the academic community through presentations at academic conferences, for example, at the European Conference in Florence organized by University of Helsinki (beneficiary partners in HRJust). Both the film and the draft of the academic article were disseminated through two different panels.



European Court Justice Juha Lavapuro; HRJust Junior Researcher Haidar Al-Amirtaha, University of Gothenburg; HRJust Researcher Dr. Milka Sormunen, University of Helsinki, presenting at EUI, Florence 2025.

## Impact: The goal to affect lawmaking and Policy

### Step 6: Affecting lawmaking

The authoring of the legislative advisory opinion by the HRJust Project Coordinator on behalf of University of Gothenburg submitted to the Swedish Government as “The University of Gothenburg’s response to the consultation on the draft bill submitted to the Council on Legislation: Electronic monitoring – a tool for social services to protect children and young people (S2026/00342).” The response raises the facile use of HRJs and the proposed law’s violation of human rights. This response is a formal legal source within the Swedish legal method, a permanent part of the legislative process with regard to the proposed law that raises the government’s use of HRJs and those interests at stake.

<b>Subject</b>	The University of Gothenburg’s response to the consultation on the draft bill submitted to the Council on Legislation: Electronic monitoring – a tool for social services to protect children and young people (S2026/00342)
<b>Background and basis for decision</b>	<p>On 23 February 2026, the Faculty of Social Sciences was tasked with responding to the “Consultation regarding the draft Council on Legislation referral: Electronic monitoring – a tool for social services to protect children and young people”.</p> <p>All departments within the Faculty, together with the Department of Law at the School of Business, have been invited to submit views and comments. Comments were received from the Department of Law on 9 March 2026.</p> <p>The deadline for submitting responses to the Ministry of Social Affairs is 20 March 2026.</p>

### Step 7: Affecting Policy

Planned meeting with the National Board of Health and Social Services on the 18th of May 2026. In the meeting, HRJust researchers and youth featured in HRJust film *‘Migrant Children: The Innocent Victims of Sweden’s War on Gangs’* will meet with representatives and share their reflections on proposed and recently adopted Gang combatting legislation affecting the lives of migrant children living areas where the laws will be implemented.