

**Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the rights to freedom of peaceful assembly and of association**

Ref.: AL SWE 1/2026  
(Please use this reference in your reply)

9 February 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the rights to freedom of peaceful assembly and of association, pursuant to Human Rights Council resolutions 52/4, 52/9 and 59/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the termination of employment of trade union leader and human rights defender Mr. Erik Helgeson at Gothenburg RoRo Terminal AB, following a temporary blockade against the handling of all military materiel going to and coming from Israel in Swedish ports organized by the Swedish Dockworkers Union in the beginning of 2025.**

**Mr. Erik Helgeson** is a trade union leader and human rights defender in Sweden. He is the Vice Chairman and spokesperson of the Swedish Dockworkers Union (Svenska Hamnarbetarförbundet) and works for the promotion of the rights to freedom of association, peaceful assembly, and freedom of opinion and expression.

According to the information received:

On 14 January 2025, following a referendum held by its members in December 2024, the Swedish Dockworkers Union formally communicated its decision to implement a temporary blockade against the handling of all military materiel going to and coming from Israel in Swedish ports, as a form of protest to prevent the involvement of the Swedish infrastructure in potential violations of international humanitarian and human rights law in Gaza. The blockade was a largely symbolic measure intended to last for six days from 4 to 9 February 2025. Mr. Helgeson, as the spokesperson of the Union, publicly clarified that open sources would be used to identify military cargo. All other commercial goods would continue to be handled normally. The Swedish Dockworkers Union had taken similar actions in support of human rights in the past, including in 2022 when they reportedly blocked Russian shipping following the invasion of Ukraine. On that occasion, no individual union representative faced repercussions.

On 28 January 2025, in response to the Union's notice of the blockade, the logistics company employing Mr. Helgeson, Gothenburg RoRo Terminal AB, filed through a security company a police report against him, alleging that his public statements constituted a "breach of confidentiality" and hence could be a "security threat".

On the same day, the Swedish Police Authority examined the complaint and dismissed these allegations, establishing that Mr. Helgeson's actions were not unlawful and did not constitute a breach of confidentiality. On 4 February 2025, the Chancellor of Justice came to the same conclusion.

On 3 February 2025, the Swedish Labour Court ruled that there were no legal impediments for the Union to carry out the blockade and that this was a "lawful political industrial action" and a legitimate exercise of the constitutional right to industrial action protected under chapter 2, section 14 of the Regeringsformen, or Instrument of Government (decision no. 3/25).

On the same day, following the Labour Court's decision and just before the blockade was set to commence, Mr. Helgeson was notified by his employer of his termination and suspended from the workplace with immediate effect. Gothenburg RoRo Terminal AB also issued a press release citing "national security grounds", despite police authorities had already dismissed similar allegations.

On 21 March 2025, Mr. Helgeson was formally terminated. The justification of the employer for his termination cited the 2018 Protective Security Act (Säkerhetsskyddslagen), meant to regulate the protection of "security-sensitive activities against espionage, sabotage, terrorist offences and other offences that may threaten those activities, and protection in other cases of classified information". Under Swedish law, private operators of "security-sensitive activities", such as ports, are responsible for conducting their own security assessment, hence they can invoke the Protective Security Act unilaterally and terminate an employee if they consider the person a "security risk", even without a court or police indictment. Despite citing the Protective Security Act, the justification referred to activities in line with the trade union's mandate. It also mentioned two incidents occurred in 2020 and 2023, both related to trade union functions and both previously settled. On both these occasions, Mr. Helgeson had exercised his duties to advocate for workers' rights and safety.

On 5 June 2025, the Union filed a lawsuit with the Swedish Labour Court (Arbetsdomstolen) seeking to invalidate the termination.

On 17 December 2025, the Labour Court issued an interlocutory judgement (decision no. 97/25), ruling that the Union's claim to invalidate the termination was time-barred. Under the Employment Protection Act, the statutory deadline for a union to file a lawsuit seeking invalidation of a wrongful termination is strictly limited to two weeks after the conclusion of negotiations, while the limitation period for claiming damages is four months.

The Union requested a central negotiation in accordance with the collective agreement on 2 May 2025, and the parties agreed to hold the meeting on 26 May 2025. However, on 9 May 2025, the collective agreement expired due to the industrial conflict. Although the parties met and negotiated on 26 May 2025, and despite no objections had reportedly been raised from the employer before this date, the Court ruled that the existence of the collective agreement was a prerequisite to the holding of a negotiation. Hence, the legal negotiation was

deemed to have concluded on 9 May 2025, when the agreement expired, and the Court calculated the two-week deadline from this date, meaning that the limitation period for the invalidation claim expired on 23 May 2025, three days before the parties actually concluded the negotiation. As the lawsuit was filed on 5 June 2025, it was deemed to have been submitted late in relation to the invalidation claim. The Union had argued that the termination constituted a legal act that violated the freedom of association under the Co-determination Act, which contains provisions allowing such acts to be declared void, but the Court established that the two-week procedural deadline in the Employment Protection Act overrides the provisions of the Co-determination Act. As a result, even if the Court concludes that the termination was unlawful and violated Mr. Helgeson's rights, this cannot be reversed.

With the judgement of 17 December 2025, the Labour Court ordered to immediately cease Mr. Helgeson's employment. The claims regarding wrongful termination are still set to be tried before the Labour Court, which has established a schedule for the exchange of final written submissions throughout February and March 2026, after which a date will be set for the main hearing. As the legal possibility of reinstatement is no longer available for Mr. Helgeson, the scope of the remedy is now restricted to the claim for financial damages. He is currently unemployed.

While we do not wish to prejudge the accuracy of these allegations, we would like to express concern about the termination of employment of trade union leader and human rights defender Mr. Erik Helgeson, which appears to be in retaliation for his human rights activities in the framework of the work of the trade union and to the exercise of his rights to freedom of association, peaceful assembly and freedom of expression. It is worrying that this happened after the Police Authority had dismissed the employer's complaint and the Labour Court had already confirmed the lawful nature of Mr. Helgeson's protected activity.

We are particularly concerned about the unilateral invocation of "national security grounds" by Mr. Helgeson's employer without a court or police indictment, which seems to be a way to stigmatize and silence him and other human rights defenders through the use of vague or exaggerated security narratives and deter future human rights activism by trade union workers. Such unilateral security assessments by a private actor risk being misused to blacklist human rights defenders and restrict their ability to engage as trade union representatives. We further note the short timeframe provided to challenge the invalidation of a wrongful termination, which might constitute a structural barrier to the enjoyment of the right to access effective remedies and to the reinstatement of employees who are removed from their job and whose termination is found to be wrongful.

The allegations appear to contravene articles 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR) and the duty States have to safeguard such right under article 2 ICCPR. The Human Rights Committee has established that there is a duty of States to put in place effective measures to protect against attacks of all kinds, including retaliation measures, aimed at silencing those exercising their right to freedom of expression.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on any investigation conducted into the use of “national security” justifications by a private employer in the case of Mr. Helgeson’s employment termination, in particular to examine whether it may constitute an act of reprisal against a human rights defender in connection to his human rights work. Please explain how this is compliant with international human rights standards. If no investigation has been conducted, please explain why.
3. Please provide information on the relevant legal and policy framework in place to ensure protection of individuals who engage in human rights activities, including trade union leaders, from job termination resulting from these activities, and to guarantee they have access to an effective remedy if the termination is found to be unlawful. If no such framework exists, please explain why.
4. Please provide information on measures adopted by your Excellency’s Government to ensure a safe and enabling environment for human rights defenders in Sweden, including trade union leaders, to carry out their legitimate and peaceful human rights activities and exercise their rights to freedom of expression and freedom of peaceful assembly and association without fear of retaliation and free from any hindrance.

This communication and any response received from your Excellency’s Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency’s Government’s to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to the company Gothenburg RoRo Terminal AB.

Please accept, Excellency, the assurances of our highest consideration.

Mary Lawlor

Special Rapporteur on the situation of human rights defenders

Irene Khan

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Gina Romero

Special Rapporteur on the rights to freedom of peaceful assembly and of association

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described.

In this regard, we remind your Excellency's Government of Sweden's obligations under the International Covenant on Civil and Political Rights (ICCPR), ratified by Sweden on 6 December 1971. In particular, we refer to articles 19 (freedom of opinion and expression), 21 (freedom of peaceful assembly) and 22 (freedom of association).

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media". This right applies online as well as offline, protects the freedom of the press as one of its core elements and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend. In its general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (CCPR/C/GC/34, para. 11).

The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that "all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress" (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, and restrictions must always be "the least intrusive instrument among those which might achieve their protective function" (CCPR/C/GC/34, para. 34). In this context, we underscore that the Human Rights Committee has found that "It is not compatible with article 19(3), for instance, to invoke such laws to suppress or withhold from the public information of legitimate public interest that does not harm national security or to prosecute journalists, researchers, environmental activists, human rights defenders, or others, for having disseminated such information." (CCPR/C/GC/34 para. 30).

Article 21 of the International Covenant on Civil and Political Rights (ICCPR) guarantees the right to freedom of peaceful assembly. It states that “[t]he right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law, and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others”.

Furthermore, we would like to refer to article 22(1) of the ICCPR which states that everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests. Article 22 (3) states that nothing shall authorize States Parties to the International Labour Organisation Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that Convention. Sweden is a State party to the Convention, which it ratified on 25 November 1949.

We further wish to recall your Excellency’s Government’s obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR), which Sweden ratified on 6 December 1971. As per article 6, States “recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right”. In its general comment no. 18, the Committee on Economic, Social and Cultural Rights stated that “Violations of the obligation to protect follow from the failure of States parties to take all necessary measures to safeguard persons within their jurisdiction from infringements of the right to work by third parties” and these include “omissions such as [...] the failure to protect workers against unlawful dismissal”.

In addition, we wish to refer to the International Labour Organization (ILO) Convention 98 concerning the application of the principles of the right to organise and to bargain collectively, which Sweden ratified on 18 July 1950, and ILO Convention 158 concerning termination of employment at the initiative of the employer, ratified by Sweden on 20 June 1983. In particular, article 1 of ILO Convention 98 states that “Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment” and that “Such protection shall apply more particularly in respect of acts calculated to: [...] (b) Cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours.”

In addition, article 4 of ILO Convention 158 provides that “The employment of a worker shall not be terminated unless there is a valid reason for such termination connected with the capacity or conduct of the worker or based on the operational requirements of the undertaking, establishment or service”. Article 5 of the same Convention states that “(a) union membership or participation in union activities outside working hours or, with the consent of the employer, within working hours” and “(b) seeking office as, or acting or having acted in the capacity of, a workers' representative” shall not constitute valid reasons for termination.

We would like to refer to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration, which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. We would further wish to refer to the following articles of the declaration:

- article 5(a) and 5(b), which provides that everyone has the right to meet or assemble peacefully and to form, join and participate in non-governmental organizations, associations or groups;
- article 6(b), which states that everyone has the right to freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms.
- article 6(c), which states that everyone has the right, individually or in association with others, to study, discuss, form and hold opinions on the observance in law and in practice of all human rights and fundamental freedoms and to draw public attention to these matters.
- Article 9, which states that everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights.
- article 12(2), holding that States shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of their legitimate exercise of the rights referred to in the declaration.