



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### List of issues in relation to the sixth periodic report of Sweden\*

#### I. General information

1. Further to the Committee's previous concern (see E/C.12/SWE/CO/5, para. 13), please provide information on measures taken to give the Covenant provisions full effect in the State party's legal order. Please also provide information on court cases in which the Covenant rights were invoked or applied.
2. Please indicate which of the existing human rights institutions in the State party is mandated with the protection and promotion of economic, social and cultural rights. Please also indicate whether the coverage of those rights by those institutions is adequate and whether the institutions' monitoring functions are based on the Covenant.
3. Please provide information on the legal framework governing investments in projects outside the State party, including by the Swedish National Pension Funds, indicating how human rights impact assessments are carried out prior to the commencement of such investment.

#### II. Issues relating to general provisions of the Covenant (arts. 1-5)

##### Article 1 (2) – Free disposal of natural wealth and resources

4. Please indicate the progress achieved towards finalizing the Nordic Sami Convention and update the Committee on the envisaged timeline for its adoption. Please also provide up-to-date information on the status of the Sami rights bill, indicating the measures taken to consult effectively the Sami people on the draft bill.
5. Please describe the steps taken to increase the autonomy of, and the resources allocated to, the Sami Parliament with a view to empowering it to participate in and affect decision-making processes in matters that affect Sami, notably land and resource rights.
6. Please provide updated information on measures taken to implement the 2006 findings of the Boundary Commission, which was created to identify lands traditionally

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\* Adopted by the pre-sessional working group at its fifty-sixth session (12-16 October 2015).



used by the Sami people so as to demarcate reindeer grazing areas. Please indicate whether the State party intends to revise the requirement of burden of proof in cases regarding Sami land and grazing rights while taking into account the capacities of rights holders.

7. Please provide information on the legal and institutional framework governing the mining activities in the territory where Sami people live. In particular, please describe mechanisms in place that enable affected communities to be consulted before the Government grants concession contracts and to provide their prior, free and informed consent for mining activities that negatively affect their access to their traditional lands and resources. Please also provide information on whether compensation is granted when such rights are violated.

#### **Article 2 – Non-discrimination**

8. Please update the Committee on progress achieved in finalizing the national action plan against racism and describe the main features of the plan.

9. Please provide information on measures, including the Minority Strategy, taken to address the rising discrimination against religious and ethnic minorities, notably Muslims, Afro-Swedes and immigrants, and on the impact of those measures. Please explain the discrepancies between the increasing number of reported cases of hate crimes and the decreasing number of investigations and convictions.

10. Further to the Committee's previous recommendation (see E/C.12/SWE/CO/5, para. 16), please provide information on the impact of measures taken, including the Roma inclusion strategy of 2012, to address the limited enjoyment of Covenant rights by Roma. In this context please provide more information on the main features of the Equality Ombudsman report on Roma rights mentioned in paragraph 51 of the State party's report (E/C.12/SWE/6) and measures to implement the recommendations put forward therein.

#### **Article 3 – Equal rights of men and women**

11. Please explain the persistence of the gender wage gap. Please provide information on measures taken or envisaged to further enhance the representation of women in decision-making positions in public and private sectors. Please inform the Committee on the prevalence of involuntary part-time working arrangements, particularly among women.

### **III. Issues relating to the specific provisions of the Covenant (arts. 6-15)**

#### **Article 6 – The right to work**

12. Please provide information on measures to address the rate of unemployment among persons with disabilities, which is rising despite measures taken to counter this tendency. Please indicate whether employment quotas for persons with disabilities, as well as incentives for employers, exist. Please also indicate the measures taken to address youth unemployment.

13. Please specify the measures taken to provide a wider range of employment opportunities for persons belonging to ethnic minorities as a means to prevent their concentration in unskilled or low-paying jobs. Please indicate the steps taken to reduce the vulnerability of Roma to unemployment.

**Article 7 – The right to just and favourable conditions of work**

14. Please provide up-to-date information on measures taken to improve the working conditions of undocumented immigrants with a view to preventing the exploitation of such immigrants, who reportedly receive low wages and often face dangerous working environments. Please describe measures taken to counter forced labour linked to trafficking in persons, including prosecution of abusers and protection of the rights of, and compensation for, victims.

15. Please explain to the Committee the reasons behind, and the impact of, the decrease in the number of labour inspectors in the light of the increase in the number of workplaces. Please provide information on the impact of measures taken to address the increase in the number of occupational accidents, particularly in the construction, agriculture and forestry industries, as well as diseases, including stress-related illnesses and diseases related to chemical factors.

**Article 8 – Trade union rights**

16. Please provide information on whether and how the right to form and join trade unions can be exercised by workers in foreign companies operating in the country.

**Article 9 – The right to social security**

17. Please explain the decreasing rate of granting personal assistance benefits under the Act concerning Support and Service for Persons with Certain Functional Impairments.

**Article 10 – Protection of the family, mothers and children**

18. Please indicate the obstacles to eradicating gender-based violence, including domestic violence, which is still occurring in the State party. Please update the Committee on the impact that the activities of the National Coordinator on Domestic Violence had on combating domestic violence.

19. Please provide more information on “honour”-based crimes against women and girls and the impact of measures taken to combat the incidence of such crimes, including the action plan to combat men’s violence against women, violence and oppression in the name of honour and violence in same-sex relations.

20. Please provide more information on the incidence of forced marriage in the State party, indicating which groups of persons are particularly affected and whether forced marriage has been introduced as a special offence. Please also explain how the State party is taking action to combat and prevent female genital mutilation, and inform the Committee about the steps taken to engage the communities concerned.

**Article 11 – The right to an adequate standard of living**

21. Please update the Committee on measures to reduce poverty among disadvantaged and marginalized groups and individuals, including Roma, Afro-Swedes and asylum seekers, with a special focus on children.

22. Please provide information on measures taken to address the de facto residential segregation, affecting mainly Afro-Swedes, Muslims, Roma and asylum seekers.

23. Please provide information on the incidence of forced evictions, faced particularly by Roma, in the State party, indicating whether opportunities for prior notification, alternative housing and compensation are provided to those affected by such evictions.

**Article 12 – The right to physical and mental health**

24. Please provide information on the measures taken to offer forms of care that are alternatives to institutionalization for persons, including children, with intellectual and psychosocial disorders. Please inform the Committee about the procedure leading to the institutionalization of persons and whether a placement review is regularly conducted in care institutions. Please also indicate whether use of force is prohibited in such institutions, including when the patient poses or is perceived to pose a danger to others, and describe any reporting system in place to monitor the use of force.

25. Please provide information on access by asylum seekers and undocumented immigrants to health-care services.

**Articles 13 and 14 – The right to education**

26. Please provide information on the measures taken to facilitate access by Sami children and children belonging to national minorities to education opportunities aimed at preserving their native languages. Please indicate whether and how children of asylum seekers or undocumented immigrants enjoy access to education.

27. Please provide information on measures to ensure access by children with disabilities to inclusive education, and indicate the criteria used in the Education Act of 2011 for the acceptance of children with disabilities in the framework of inclusive education.

**Article 15 – Cultural rights**

28. Please provide information on measures taken to revitalize the Sami languages and prevent their extinction.

29. Please provide information on measures taken to enable disadvantaged individuals and groups to benefit from access to the Internet. Please indicate whether and how the Internet is used as a vehicle to preserve and promote the cultural diversity of the State party.

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