



**Economic and Social
Council**

Distr.
GENERAL

E/C.12/SWE/Q/5
13 December 2007

Original: ENGLISH

**COMMITTEE ON ECONOMIC; SOCIAL
AND CULTURAL RIGHTS**

**Pre-sessional working group
26 – 30 November 2007**

SWEDEN

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**List of issues to be taken up in connection with the consideration of the
fifth report of Sweden concerning the rights covered by article 1 to 15 of
the International Covenant on Economic, Social and Cultural Rights
(E/C.12/SWE/5)**

I. GENERAL INFORMATION

A. Follow-up to recommendations of previous reports

1. In view of the fact that the European Convention of Human Rights has been fully incorporated into domestic law, please provide information why the State party is of the position that it is unable to similarly incorporate the Covenant.
2. Please indicate whether the report by the Boundary Commission established in 2002 has been considered by the Government. Please also explain whether the obstacles to the ratification of International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries have been overcome, and if so, please outline the steps foreseen to ratify it.¹
3. Please provide additional information on the results of measures undertaken to address the persistent gender inequalities in employment, in particular the

¹ E/C.12/SWE/5, para. 13-14.

different occupational groups in employment of women and men, the proportion of women in senior positions, the proportion of men and women engaged in full- and in part-time employment and the gender wage gap.² Please explain how the bill adopted in May 2006 entitled “The Power to Shape Society and One’s Own Life - New Gender Policy Objectives” attempts to eradicate the continuing inequalities between women and men.³

B. Land and people

4. Please provide information regarding the nature and scope of those practices that the State party considers to be good practices [in Spanish version: replace “prácticas óptimas” with “buenas prácticas”] in the implementation of the Covenant.
5. Please provide updated information on the composition of the population. Please also provide disaggregated data on the minority languages spoken in the State party.⁴

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

Article 1. Self-determination

6. Please provide information on the process of the drafting and status of ratification of the Sami Convention to be worked out between the State party, Finland, and Norway.
7. Please provide information on whether the Sami Parliament has assumed responsibility for reindeer husbandry as envisaged in Bill 2005/06:86 “Greater Sami Influence” which foresaw the transfer of full responsibility as from 1 January 2007.⁵ Kindly indicate whether the power of the Sami Parliament will also pertain to the major sectors in which the Sami are engaged, such as forestry, tourism, mining, etc. Please also indicate whether its power will also include the authority to resolve the legal issues surrounding land use.

Article 2. Progressive implementation, non-discrimination, international cooperation

8. Please indicate what measures are being taken or foreseen to address allegations of police misconduct, including acts of racism or racial discrimination, bearing in mind the negative decision in April 2003 by a Parliamentary Committee entrusted to consider whether an independent body entrusted to investigate alleged police misconduct, including acts of racism or racial discrimination, needed to be established.

² E/C.12/SWE/5, para. 77.

³ E/C.12/SWE/5, para. 40.

⁴ E/C.12/SWE/5, para. 506.

⁵ E/C.12/SWE/5, para. 12.

9. Please indicate what measures the State party undertakes to combat discrimination allegedly faced by minorities and immigrants, in particular Muslim persons, in daily life.
10. Please provide information about whether and how the proposed merger of the four discrimination Ombudsmen takes into account the Paris Principles relating to the Status of National Institutions (General Assembly resolution 48/134, annex).⁶
11. The Committee would welcome more detailed information on the definitions of discrimination as harmonized with EC law, in particular with respect to those areas of society in which discrimination occurs besides the housing market.⁷
12. Please provide information on the State party's view on the final report of the committee established by the Government in 2003 to review and present research and information about structural discrimination on grounds of ethnicity or religion.⁸ Please also provide information as to what measures have consequently been elaborated and implemented.
13. Please provide more detailed information on how the government bill of December 2003 entitled "Shared Responsibility: Sweden's Policy for Global Development" promotes the rights enshrined in the Covenant.⁹
14. Please provide information on the ways the development cooperation and trade policies of the State party contribute to the realization of economic, social and cultural rights in developing countries.

III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6. Right to work

15. Please provide information on measures to combat the high unemployment rate among foreign born persons, whether Swedish nationals or not.¹⁰
16. Please provide information about the measures being taken to eliminate obstacles faced by persons with disabilities in finding employment, particularly those aimed at overcoming prejudices of employers against persons with disabilities. Please also provide information why the situation on the labour market for persons with disabilities has deteriorated in recent years and what measures have been implemented to combat this. Please also provide

⁶ E/C.12/SWE/5, paras. 24-25.

⁷ E/C.12/SWE/5, paras. 31-32.

⁸ E/C.12/SWE/5, para. 33.

⁹ E/C.12/SWE/5, para. 34.

¹⁰ E/C.12/SWE/5, para. 104.

information on why persons with disabilities are not allocated reasonable accommodation during ongoing employment. Kindly provide details on these laws regarding persons with disabilities and whether the law as well as its application is considered as sufficient by the State party.

Article 7. Right to just and favourable conditions of work

17. Please provide information on the current levels of minimum wages established by collective agreements and whether these represent sufficient remuneration in order to lead a decent standard of living. Is the State party reconsidering its position regarding the ratification of ILO Convention No. 131 concerning Minimum Wage Fixing?

Article 9. Right to social security

18. Please provide information on whether and how the basic unemployment benefit is supplemented by other subsistence means, in light of the fact that the minimum assistance is very close to the poverty threshold.

Article 10. Protection of the family, mothers and children

19. Please provide information on whether the State party's legislation and other measures focused on violence against women sufficiently address prevention, such as through the transformation of patriarchal gender roles and hierarchies, or targeting women with an immigrant, asylum-seeker, refugee or Sami background. Please include an assessment of their effectiveness.

20. Please provide information about the incidence of violent honour crimes as well as information about the effectiveness of measures to combat them.

21. Please provide information on the review of legislation regarding compulsory schooling for the "hidden children" whose asylum applications had been rejected. To what extent were the additional funds provided to municipalities as an interim measure successful in ensuring their right to education?¹¹

Article 11. Right to an adequate standard of living

22. Please provide information on what measures are being taken by the State party to improve the standard of living, in particular of single women with children and elderly retired people, who according to the State party's report rank among the lowest in this respect.¹²

23. Please provide more detailed data on the income distribution gap and how this affects the groups concerned.¹³

¹¹ E/C.12/SWE/5, para. 276.

¹² E/C.12/SWE/5, para. 296.

¹³ E/C.12/SWE/5, para. 292-294.

24. Please provide information on measures undertaken to combat unemployment and poverty among people of active working age taking into consideration the information provided by the State party in para. 295 of its report.
25. What is the maximum fee introduced in 2002 for the care of the elderly and for people with disabilities?¹⁴
26. Please provide information on measures designed to address the gaps that persist in the legislation and in practice regarding the rights of persons with disabilities, in particular homeless persons with disabilities, and to develop a unified approach to facilitate access to obtain assistive devices.
27. Please provide absolute numbers regarding poverty among children, in particular how many children live in poor families (7 per cent), as well as with regard to the economic standard of retired persons (increased by 18 per cent since 1995).¹⁵
28. The Committee would welcome the State party's view on why the number entitled to assistance allowance has increased steadily since 1998. Please also provide more detailed information on the Government's plans to halve the number of people receiving economic assistance, which originally had been aimed at by 2004.¹⁶

Article 12. Right to physical and mental health

29. Please provide disaggregated data concerning the incidence of HIV/AIDS, in particular regarding the coincidence of drug use and HIV/AIDS and indicate how successful harm reduction measures have been (such as needle exchange programmes), whether they are foreseen to be scaled, and whether such programmes are foreseen in detention facilities?
30. Please provide information on the State party's measures as to whether and how undocumented adults are provided with the same health care as Swedish nationals.
31. Please provide information on the measures implemented by the State party to address the problems of asylum-seeking children whose state of mental well-being is threatened by lengthy procedures.

Article 13. Right to education

32. Please provide disaggregated data on enrolment in higher education, including of minorities and ethnic groups.¹⁷

¹⁴ E/C.12/SWE/5, para. 308.

¹⁵ E/C.12/SWE/5, paras. 299, 309.

¹⁶ E/C.12/SWE/5, paras. 312, 321.

¹⁷ E/C.12/SWE/5, para. 471.

33. Please provide more detailed information on the implementation of new proposals regarding education in the mother tongue of the minorities and other groups, in particular whether these address the issue of teacher shortages and the problem of limited availability and holding outside of regular school hours. Please provide information on the results of the measures that have already been implemented.
34. Please provide information on how the right to education is realized for children of Roma background, especially where there are separate classes established for them.
35. Please provide information on the results of the review of school textbooks, particularly with regard to manifestations of discrimination, undertaken by the National Agency for Education.¹⁸
36. In relation to teacher education and skills enhancement for teachers,¹⁹ please provide information about whether human rights are part of the curricula for pre-service teacher training for all teachers and to what extent human rights principles are incorporated in the criteria for assessments of professional performance and conduct of educational personnel.

Article 15. Right to take part in cultural life, to enjoy the benefits of scientific progress and the protection of intellectual property

37. Please provide information on the criteria applied in granting subsidies to national minorities and whether the amounts of these grants are sufficient for the promotion of the culture and the language of national minorities.²⁰
38. Please provide detailed information on the efforts made to overcome the allegedly limited practical impact of the regulations allowing for the use of some minority languages, in particular Sami, before certain authorities, and the effectiveness of such efforts.
39. Please provide more information on the attribution of responsibilities among State and decentralized institutions in relation to cultural life, as well as the distribution of budget among these bodies.²¹
40. Please explain in which areas there is no general legislation concerning the roles and responsibility of public bodies in connection with the culture policy objectives of 1996.²²

¹⁸ E/C.12/SWE/5, para. 425.

¹⁹ E/C.12/SWE/5, paras. 480-484, 440.

²⁰ E/C.12/SWE/5, para. 488-489.

²¹ E/C.12/SWE/5, para. 488.

²² E/C.12/SWE/5, para. 500.