



**Convention on the Rights  
of Persons with Disabilities**

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**Committee on the Rights of Persons with Disabilities**

**Combined second and third periodic reports  
submitted by Sweden under article 35 of the  
Convention pursuant to the optional reporting  
procedure, due in 2019\* \*\***

[Date received: 25 November 2019]

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\* The present document is being issued without formal editing.

\*\* The annex to the present document may be accessed from the web page of the Committee.



**Reply to paragraph 1 (a) of the list of issues prior to reporting  
(CPRD/C/SWE/QPR/2-3)**

1. No specific action has been taken to incorporate the UN Convention on the Rights of Persons with Disabilities (the Convention) in its entirety in Sweden. Swedish law was deemed to be in good compliance with the provisions of the Convention and no legislative measures were deemed to be needed in order for Sweden to be able to accede to the Convention.
2. The only convention on human rights to have been incorporated in its entirety into Swedish law so far is the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). On 1 January 2020 the Convention on the Rights of the Child (UNCRC)<sup>1</sup> will also be incorporated into Swedish law. The Government intends to gather experiences of applying the UNCRC before making further considerations regarding the question of continued incorporation of conventions into Swedish law.

**Reply to paragraph 1 (b) of the list of issues prior to reporting**

3. The Swedish Agency for Participation monitors public sector actors' work to implement disability policy at national, regional and local levels.
4. Between 2014 and 2016, the Agency monitored how municipalities and regional public transport authorities work with accessibility and participation. This was based on a number of indicators and included the labour market, education, culture, sport, physical accessibility and transport (regarding the regional public transport authorities).
5. In 2015, the Agency began a dialogue with the Swedish Association of Local Authorities and Regions on how this monitoring could be developed. To make monitoring more effective and more manageable, the Agency subsequently reviewed and developed the monitoring process. Since 2017, the Agency has carried out an annual survey directed at all Swedish municipalities, county councils and government agencies, in order to monitor more strategically how the disability perspective is included in the municipalities' operational leadership and management. The Swedish Agency for Participation is currently developing a digital tool that will replace the survey mailings during 2019.
6. The Swedish Agency for Participation has also been specifically tasked by the Government with working together with the county administrative boards to support municipalities and county councils in implementing their disability policy strategies and plans.

**Reply to paragraph 1 (c) of the list of issues prior to reporting**

7. Since the introduction of protection against discrimination in the form of inadequate accessibility, there has been an increase in reports in relation to the ground of disability. According to the Equality Ombudsman (DO), several of the reported cases have resulted in action being taken to increase accessibility in various ways. The Discrimination Act has subsequently been further strengthened through the expansion of protection against discrimination in the form of inadequate accessibility.<sup>2</sup> This change means that companies with fewer than ten employees will be included in the prohibition against discrimination in the form of inadequate accessibility when providing goods and services. The change came into force on 1 May 2018.
8. With effect from 1 January 2017, the rules were also changed in relation to employers' obligations to work actively for preventive and promotional work in order to prevent

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<sup>1</sup> Incorporation of the UN Convention on the Rights of the Child (2017/18:186).

<sup>2</sup> Expanded protection against discrimination in the form of inadequate accessibility (Govt Bill 2016/17:220).

discrimination within a business and to otherwise work for equal rights, for example by including the ground of disability.<sup>3</sup>

9. Hate motives may be taken into account when sentencing.<sup>4</sup>

### **Reply to paragraph 1 (d) of the list of issues prior to reporting**

10. The Swedish Agency for Participation has been tasked with evaluating and analysing developments within disability policy during the period 2011–2016.<sup>5</sup> The Agency's report states that developments within most policy areas have been slow. It is particularly within the areas of culture, media, IT and transport that there have been positive developments.

11. At the same time, developments within areas such as physical accessibility and the labour market have been at a standstill or made only slow progress during the strategy period. Compared with the population in general, persons with disabilities still have considerably worse living conditions. Certain groups of persons with disabilities are more vulnerable than others. This is particularly true of women with disabilities, who generally have worse living conditions than men. In addition, vulnerability varies between groups of persons with disabilities and within different areas. Persons with disabilities have lower levels of education than the population as a whole. Women generally have a higher level of education than men. However, education levels for men with disabilities have risen during the strategy period, and a higher proportion of men with disabilities study.

12. In 2017, the Riksdag decided on a new national goal for disability policy, taking the Convention as a starting point. The new goal states that: "The national goal for disability policy, taking the UN Convention on the Rights of Persons with Disabilities as a starting point, is to achieve equal living conditions and full participation in society for persons with disabilities in a society based on diversity. This goal shall contribute towards greater gender equality and consideration of the children's rights perspective."

13. In order to achieve the national goal, the implementation of disability policy shall be targeted towards four areas: the principle of universal design; shortcomings in terms of accessibility; individual support and solutions for individual support; and preventing and countering discrimination. This decision also involves a number of measures aiming to contribute towards the national goal for disability policy, including human rights education. The measures coincide with areas where the Committee has submitted recommendations to Sweden, and are in line with those of the subsidiary goals of the 2030 Agenda that refer directly to persons with disabilities.

14. The decision also states that the management of disability policy should be reviewed by appointing an inquiry. The Inquiry was tasked with describing the application of the principle of universal design and submitting a proposal for a stable, long-term management and monitoring system based on the new national goal and the new direction. The Inquiry submitted its proposal to the Government on 7 May 2019. This is currently being prepared within the Government Offices, and was circulated for comment in August 2019.

### **Reply to paragraph 1 (e) of the list of issues prior to reporting**

15. The Minister for Children, the Elderly and Gender Equality decided in 2015 that an interdepartmental working party should be established within the Government Offices, tasked with supporting the implementation of the disability policy.

16. During 2016–2017, the working party's contributions have included involvement in drawing up area-specific documentation for the work on the new disability policy that was decided on by the Government in 2017.

<sup>3</sup> The Discrimination Act (2008:567), Chapter 3, Section 4.

<sup>4</sup> The Swedish Criminal Code (1962:700), Chapter 29, Section 1 and Section 2, paragraph 3.

<sup>5</sup> The Swedish Agency for Participation (2016) 'Utvärdering och analys av funktionshinderspolitiken 2011–2016' ('Evaluation and analysis of disability policy 2011–2016'), A 2016:14.

17. The working party participates in preparing the recommendations that the Committee submitted to Sweden in 2014, and was also involved in drawing up responses to the list of questions from the Committee. In addition, the working group's members have been tasked – in accordance with the applicable principle of responsibility and financing – with working to ensure that the obligations emanating from a convention are complied with at national level within each subject area.

### **Reply to paragraph 1 (f) of the list of issues prior to reporting**

18. The number of individuals entitled to state assistance benefits in 2014 was 16 015, of which 7 384 were women (46 per cent) and 8 631 were men (54 per cent). The number of persons receiving state assistance benefits has dropped by 8 per cent between 2014 and 2018, from 16 015 to 14 596. In 2018, a total of 6 658 (46 per cent) women and 7 938 (54 per cent) men received assistance benefits.

19. In 2014, the gender difference was greatest among the youngest individuals. 694 (42 per cent) girls and 1 312 (58 per cent) boys aged 0–14 received state assistance benefits. Within the 45–49 age group, 460 (47 per cent) women and 511 (53 per cent) men received state assistance benefits. In 2018, the corresponding distribution for the 0–14 age group was 698 (43 per cent) girls and 920 (57 per cent) boys. The 45–49 age group consisted of 409 (47 per cent) women and 456 (53 per cent) men.

20. Within all groups of persons covered by the Act concerning Support and Service for Persons with Certain Functional Impairments, the number receiving personal assistance has decreased since 2014. This number has fallen the most within group 3, dropping by 16 per cent since 2014. See question 14 for descriptions of the groups in the Act concerning Support and Service for Persons with Certain Functional Impairments.

### **Reply to paragraph 1 (g) of the list of issues prior to reporting**

21. The Government holds ongoing dialogue with the disability movement, and they are involved in various ways in the Government's work and processes. When relevant, they are included as experts in governmental inquiries, when obtaining comments on proposals made by governmental inquiries and as actors in government agency remits. Opinions are also obtained from disability organisations on specific factual issues, including through focused discussion forums. The Government also has a Disability Delegation, which is the Government's main forum for consultation and dialogue with the disability movement.

22. There is an agreement between the Swedish Agency for participation and the disability movement in order to ensure that the Agency's cooperation with the disability movement is in line with the Convention. The Agency has also developed a consultation model for cooperation and the disability movement is also represented on the Agency's knowledge council. As part of the work with the bill on the national goal and direction of disability policy,<sup>6</sup> special meetings were held during autumn 2016 with the disability organisations as a complement to the information provided at the Disability Delegation.

23. In early 2018, the Government carried out a focused discussion forum<sup>7</sup> regarding the recommendations received by Sweden in 2014 from the UN Committee on the Rights of Persons with Disabilities. Before the preparation of Sweden's responses to the list of issues from the Committee, a proposed structure was presented at the beginning of 2019.

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<sup>6</sup> National goal and direction of disability policy (Govt Bill 2016/17:188).

<sup>7</sup> Focused discussion forums are a working method used within the Government Offices to obtain knowledge and perspectives from organisations within civil society and other relevant actors on a defined issue.

## Reply to paragraph 2 (a) of the list of issues prior to reporting

24. Protection against discrimination in the form of inadequate accessibility was added to the Discrimination Act in 2015, and was further reinforced in 2018 when the exception applying to companies with fewer than ten employees was removed. The actions to be taken shall be reasonable based on e.g. the accessibility requirements in laws and other statutes, and with regard to economic and practical circumstances.<sup>8</sup> The act largely covers all sectors of society. The question of needing to amend this provision has been investigated within the report Better Protection Against Discrimination.<sup>9</sup> The investigator was of the opinion that the question should be investigated further.

25. The area of housing within the Discrimination Act is not covered by the protection against discrimination in the form of inadequate accessibility. However, other provisions place requirements on accessibility when it comes to housing. The Planning and Building Act<sup>10</sup> for example contains accessibility requirements for persons with reduced mobility or orientation capacity. These requirements apply to new construction and, under certain circumstances, to changes to a building.

## Reply to paragraph 2 (b) of the list of issues prior to reporting

26. The preparatory work<sup>11</sup> for the Discrimination Act states that combining the discrimination legislation and several ombudsmen into a single ombudsman should make matters easier for those who have been subject to discrimination on multiple grounds. The Equality Ombudsman is able to investigate and drive through discrimination cases on several grounds.

27. The national goal for disability policy emphasises in particular that it should contribute towards greater gender equality and a children's rights perspective being taken into consideration. Preventing and countering discrimination is also an established prioritised direction for this work. Overall, these established starting points and prioritisations should contribute towards strengthening the intersectional perspective and towards countering intersectional discrimination in relation to persons with disabilities.

28. Several government agencies also have clear remits within their instructions that contribute towards strengthening the intersectional perspective within state operations on the basis of various grounds for discrimination. In addition, the Government has issued a number of assignments to government agencies and other organisations to illuminate questions from an intersectional perspective.

## Reply to paragraph 2 (c) of the list of issues prior to reporting

29. The reported information relates only to the Equality Ombudsman's operations.<sup>12</sup> Between 1 January 2015 and 31 December 2018, the Equality Ombudsman received 2 945 reports about disability as a ground of discrimination. Based on what can be determined from the information recorded in the Ombudsman's log,<sup>13</sup> 1 495 reports related to women and 1 450 related to men.

<sup>8</sup> The Discrimination Act (2008:567), Chapter 1, Section 4.

<sup>9</sup> 'Bättre skydd mot diskriminering' ('Better Protection Against Discrimination'), SOU 2016:87.

<sup>10</sup> The Planning and Building Act (2010:900).

<sup>11</sup> 'Ett starkare skydd mot diskriminering' ('Stronger Protection against Discrimination', 2007/08:95).

<sup>12</sup> Information submitted to e.g. antidiscrimination agencies and trades union organisations is not included in this summary. Correspondingly, nor are actions taken by other actors – for example, in the form of discrimination cases taken to court by antidiscrimination agencies, trades union organisations or individuals – reported.

<sup>13</sup> The number of reports disaggregated by gender may differ from the number of unique reports, as some reporters state more than one gender, for example when two parents make a report on their child's behalf. Whether a reporter states their own gender or the gender of the person to who the report relates may also vary.

30. The reports are divided up as below by sector of society:<sup>14</sup>

Working life	570
Education	605
Goods and services	590
Social services and social insurance	419
Healthcare	310
Housing	94

31. Other areas, e.g. issues not covered by the Discrimination Act 373.

32. Between 1 January 2015 and 31 December 2018 the Equality Ombudsman has notified supervisory decisions in 174 cases where supervision particularly related to disability as a ground of discrimination. Of these, 92 have been initiated on the basis of reports relating to women, and 82 on the basis of reports relating to men. The majority of these supervisory cases have related to working life, the field of education and the provision of goods and services.

33. During the period the Equality Ombudsman has brought action in seven cases relating to disability and inadequate accessibility. Three of these cases related to state operations, three to private operations and one to municipal operations. Five of the cases have been settled with final effect. In four of these, discrimination has been noted and those responsible have been ordered to pay compensation to the individuals.

### **Reply to paragraph 3 (a) of the list of issues prior to reporting**

34. Sweden has a feminist government which is of the opinion that the role of politics is to change the prevailing inequality by making decisions that redistribute power and resources for a more gender equal society. This applies within all policy areas, including disability policy. The Government's strategy is one of gender mainstreaming, which takes as its starting point the perception that gender equality is created by a gender equality perspective being integrated into all decision-making.

35. The Government communication Power, targets and agencies – a feminist policy for a gender-equal future<sup>15</sup> presents a direction and a new structure for gender equality policy including sub-goals. The communication highlights the disability perspective within the gender equality policy and as part of the sub-goal of gender-equal health. The new national goal for disability policy also states that the goal should contribute towards greater gender equality and a children's rights perspective being taken into consideration.<sup>16</sup>

36. The Swedish Agency for Participation has drawn up structures for integrating the gender equality perspective into its core operations and its activities.

37. The Swedish Gender Equality Agency and the Swedish Agency for Participation have both been tasked via their instructions to integrate their perspectives on the basis of their remits within their own operations. The two agencies have also been given a specific joint assignment of mapping the challenges to achieving the gender equality policy sub-goal of economic gender equality for women with disabilities.

38. In 2017 the Swedish Agency for Participation was tasked with reporting on combined knowledge about men's violence against women with disabilities.

<sup>14</sup> The number of reports divided up by sector of society differs from the number of unique reports, as a report may contain information about more than one sector of society.

<sup>15</sup> Govt Communication Makt, mål och myndighet - feministisk politik för en jämställd framtid 2016/17:10.

<sup>16</sup> Govt Bill 2016/17:188. National goal and direction of disability policy.

### Reply to paragraph 3 (b) of the list of issues prior to reporting

39. See also previous response to question 2 b.
40. The Equality Ombudsman strives to apply a working method in all its operations that involves systematic and consistent integration of a non-discrimination and equal rights perspective regarding all the grounds covered by the Ombudsman's remit, including gender and disability. The Ombudsman thus works to tackle those problems that lead to discrimination, often with a link to one or more grounds and/or to multiple grounds for the same individual.
41. The Ombudsman has carried out several assignments and activities regarding sexual harassment.
42. The Government has also decided on a national strategy to prevent and combat men's violence against women, which came into effect on 1 January 2017. The strategy emphasises that several life situations and circumstances may involve particular vulnerability, such as disability.<sup>17</sup>
43. New legislation regarding sexual offences based on consent has been adopted by the Riksdag. Sex must be voluntary, otherwise it is illegal. The perpetrator is no longer required to have used violence or threats or to have taken advantage of a victim's particularly vulnerable situation to be able to be convicted of e.g. rape.
44. In 2018 the Government also appointed a specific investigator to map, analyse and take a position on whether there is a need for greater constitutional support for employers to obtain information about individuals with criminal records (records checks). This includes employers within healthcare operations for the elderly and persons with disabilities.
45. The National Board of Health and Welfare has drawn up instructions and general advice<sup>18</sup> on violence in close relationships.
46. The Government carried out a number of initiatives during 2018 in the wake of the #Metoo movement. One of these involved directing specific educational initiatives towards social services, taking the needs referred to within the #Metoo movement – for example, from girls and women with disabilities – as a starting point.
47. A number of actions have been taken to prevent and counter discrimination within the legal system maintained by the Swedish Police. Work has also been carried out within various assignments to increase competence among various professional groups within the legal system. For more details, see the response to question 9 e.

### Reply to paragraph 3 (c) of the list of issues prior to reporting

48. Since 2015 the Government has carried out a major initiative to improve maternity care and to strengthen women's health in general. Within the framework of this, the Government has entered into several agreements with the Swedish Association of Local Authorities and Regions. One common feature of this initiative is to improve care based on women's specific needs, which also includes improving care for women with disabilities.
49. In 2016 the Public Health Agency of Sweden was tasked by the Government with carrying out a population study within the field of sexual and reproductive health and rights. Within the assignment The Public Health Agency of Sweden therefore carried out an in-depth study together with Malmö University on the sexual health of young individuals with intellectual disabilities.
50. Within compulsory school for children with learning disabilities and for sexual education aimed at young people and young adults with intellectual disabilities, an app has

<sup>17</sup> 'Makt, mål och myndighet – feministisk politik för en jämställd framtid' ('Power, goals and agency – a feminist policy for a gender-equal future'), Government Communication 2016/17:10.

<sup>18</sup> The National Board of Health and Welfare's instructions and general advice on violence in close relationships (SOSFS 2014:4).

been developed as part of a project relating to sex and relationship education at compulsory school for children with learning disabilities.

### Reply to paragraph 3 (d) of the list of issues prior to reporting

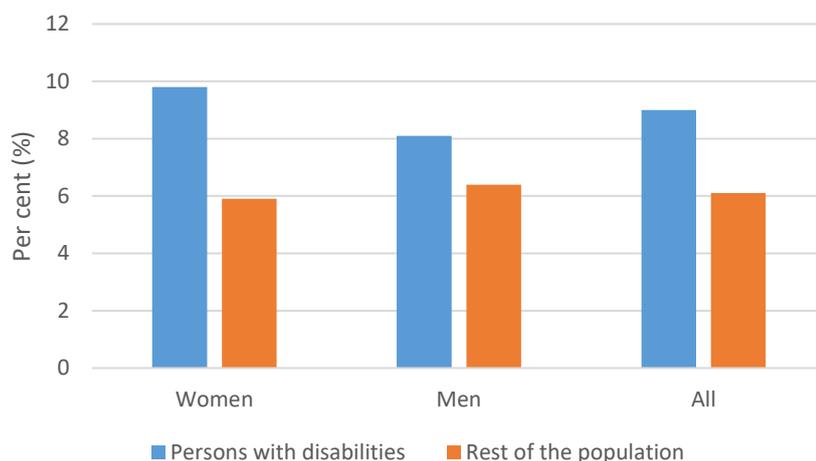
51. The official criminal statistics do not include figures disaggregated in the way requested.

52. Statistics on persons convicted for criminal offences are recorded according to the section of law and the person against whom proceedings are taken. Details about the victim are not included in the statistics on convictions for criminal offences.

53. Information about exposure to threats of violence for persons with disabilities is presented in Statistics Sweden's Living Conditions Survey every four years. Persons with disabilities state to a higher degree than the rest of the population that they have been subjected to threats and violence. The difference is greater among women than among men. The statistics are disaggregated by disability, but since there is considerable statistical uncertainty there are only limited opportunities to draw conclusions from these.<sup>19</sup>

Diagram

#### Proportion (%) who have been subjected to violence or threats among persons with disabilities and the rest of the population aged 16 or older, 2016/17



Source: Statistics Sweden, Living Conditions Survey (ULF/SILC) 2016/17

### Reply to paragraph 4 (a) of the list of issues prior to reporting

54. Measures have been taken in recent years to raise awareness of the particular vulnerability to violence risked by children with disabilities. Sweden now has a national knowledge centre, called Barnafriid, a part of Linköping University. Barnafriid's role is to gather and disseminate knowledge about violence and other abuses against children.

55. The most recent mapping of corporal harassment and other forms of harassment against children was carried out in 2016<sup>20</sup> by the Children's Welfare Foundation Sweden in cooperation with Karlstad University and funded by the Government. See also the response to question 4 f.

<sup>19</sup> Statistics Sweden, Living Conditions Survey (ULF/SILC) 2016/17. The results can also be found here (in Swedish): <https://www.scb.se/hitta-statistics/statistics-efter-amne/levnadsforhallanden/levnadsforhallanden/undersokningarna-av-levnadsforhallanden-ulf-silc/pong/tabell-och-diagram/statistics-om-personer-med-funktionsnedsattning/tabeller-2016-2017/>

<sup>20</sup> 'Våld mot barn 2016 En nationell kartläggning' ('Violence against children 2016: A national survey'), the Children's Welfare Foundation Sweden.

56. In 2016 the Government awarded the Children's Welfare Foundation Sweden funding to carry out a systematic knowledge summary of the overall vulnerability to violence and harassment of girls and boys with disabilities.

57. The 2016 annual report by the Children's Ombudsman was specifically about children with disabilities and the support that they receive from society.

58. In 2016 the Government tasked the National Board of Health and Welfare with carrying out measures to improve opportunities for monitoring compulsory care. The National Board of Health and Welfare will also draw up and disseminate clarifying information about instructions for reporting to different groups of staff working with psychiatric compulsory care.

#### **Reply to paragraph 4 (b) of the list of issues prior to reporting**

59. The Swedish Association of Local Authorities and Regions and the Government have had agreements for several years on initiatives within mental (ill-)health. One goal for this work is to improve and coordinate initiatives for children's and young people's mental health.

60. In 2019 the Government signed an agreement with the Association on mental health initiatives. SEK 250 million was allocated to county councils during 2019 for initiatives aiming to prevent mental ill-health among children and young people, and to ensure that children and young people with mental ill-health get early and effective care and treatment. SEK 380 million was allocated to county councils to increase the availability of and shorten waiting times for child and youth psychiatry services. A further SEK 130 million was allocated in 2019 within the framework of the agreement with the Association to county councils to strengthen the work carried out by youth guidance centres in the area of mental ill-health.

61. The Government has adopted a strategy for work within the field of mental health between 2016 and 2020. The 'Participation and rights' and 'Vulnerable groups' areas make particular mention of persons with disabilities.

62. The Government has spent SEK 200 million annually since 2016 on initiatives to strengthen and improve pupil health. This has included the introduction of a government grant<sup>21</sup> that can be applied for by those responsible for compulsory forms of schooling to recruit staff within student health.<sup>22</sup>

63. In 2017 the Government appointed the inquiry Better opportunities for compulsory school pupils to achieve the minimum national knowledge requirements<sup>23</sup> with the remit of mapping and analysing schools' work in connection with support and student health, and to

<sup>21</sup> Ordinance (2016:400) on government grants for recruitments within school health services and in special needs education, and for further training in these fields.

<sup>22</sup> Preschool classes are aimed at children from the year when they turn six and shall prepare them for continued education at compulsory school. Compulsory school covers years 1 to 9. Compulsory school for children with learning disabilities is for pupils who are deemed unable to fulfil the knowledge requirements of compulsory school due to a learning disability. Special school covers years 1 to 10 and is aimed at children who cannot attend compulsory school or compulsory school for children with learning disabilities because they are deaf-blind or visually impaired with additional disabilities, are deaf or hearing impaired, or have a serious language disorder. Sami school is aimed at the children of Sami who can fulfil their compulsory schooling at a Sami school instead of years 1 to 6 at compulsory school. Upper secondary school is primarily open to young people who have completed their compulsory schooling or equivalent education and who begin their upper secondary education during the period up to and including the first calendar six months when they turn 20. There are 18 national upper secondary school programmes, which are intended to be completed in three academic years. Upper secondary school for individuals with learning disabilities is aimed at young people whose compulsory schooling has ended and who are deemed unable to fulfil the knowledge requirements of upper secondary school due to a learning disability. The education consists of national and individual programmes.

<sup>23</sup> Committee Directive 'Bättre möjligheter för elever i de obligatoriska skolformerna att nå de kunskapskrav som minst ska nås' ('Better opportunities for compulsory school pupils to achieve the minimum national knowledge requirements', Dir. U2017:88).

submit proposals in order to create better opportunities for pupils to achieve the minimum knowledge requirements. The inquiry is due to submit a report on 28 February 2020.

64. The Swedish National Agency for Education has worked together with the National Board of Health and Welfare to draw up guidance for student health.<sup>24</sup> In 2017 the Swedish National Agency for Education and the National Board of Health and Welfare were jointly tasked by the Government with carrying out three-year development work aimed at improving cooperation between student health, healthcare and social services so that children and young people receive early, coordinated initiatives. A final report will be submitted to the Government Offices no later than 31 January 2021.<sup>25</sup>

65. In 2018 the Public Health Agency of Sweden was tasked with drawing up and disseminating basic web-based training on mental ill-health and suicide among children and young people for leaders of voluntary organisations who arrange activities for children and young people. This training shall have a disability and children's rights perspective, and shall be completed during 2019.

### **Reply to paragraph 4 (c) of the list of issues prior to reporting**

66. A number of measures have been taken to strengthen children's rights and their right to participation and influence. The law on incorporating the UN Convention on the Rights of the Child comes into force on 1 January 2020. The Children's Ombudsman has been tasked by the Government with supporting municipalities, county councils and particularly relevant government agencies in the work to ensure the application of children's rights within their operations. This remit applies during the period 2017–2019.

67. The National Agency for Special Needs Education and Schools<sup>26</sup> has a child panel to ensure that the voices of children and young people are heard within its area of operations.

68. The Government also tasked the Swedish Agency for Youth and Civil Society and the Children's Ombudsman during the period 2014–2016 with reinforcing and disseminating knowledge among decision-makers and professionals at municipality and county council level about what a children's rights and youth perspective involves.

69. In 2018 the National Board of Health and Welfare followed up on how the principle of the child's best interests is taken into account in assessments, decisions and planning initiatives in accordance with the Act concerning Support and Service for Persons with Certain Functional Impairments.<sup>27</sup> The investigation has revealed i.e. a lack of access to communication tools.

70. The National Board of Health and Welfare has drawn up knowledge support about talking to children, aimed at all those who come into contact with and talk to children within social services, healthcare and dental care.

71. To ensure that children with disabilities are given equal opportunities within the legal system, the Swedish Police use a scientifically tested method of questioning. Cooperation has also been developed with municipalities and county councils within the framework of child advocacy centres.

72. When making decisions on custody, housing and relationships, children's wishes are taken into account in accordance with their age and maturity. This applies to all children, regardless of whether or not they have a disability. Preparations are currently being made by

<sup>24</sup> 'Vägledning för elevhälsan' ('Guidance for student health'), 2015.

<sup>25</sup> U2017/01236/GV.

<sup>26</sup> The National Agency for Special Needs Education and Schools works to ensure that children, young people and adults have the right conditions to achieve the objectives of their education, regardless of their functional ability. The Agency is also responsible for special schools.

<sup>27</sup> It was previously stated in both the Social Services Act and the Act concerning Support and Service for Persons with Certain Functional Impairments that the child's best interests should be particularly taken into account and that the child should receive relevant information and be given the opportunity to convey his or her views.

the Ministry of Justice for the report ‘See the Child!’ from the 2014 Custody Inquiry.<sup>28</sup> The rules on adoption have also been modernised recently, clarifying the child’s right to information and to have his or her say in an adoption case.

73. The Swedish National Agency for Education provides a skills development initiative regarding participation, influence and equal treatment through collegial learning.<sup>29</sup>

74. The Swedish Police were tasked by the Government in June 2019 with developing the practical application, within their field of the Act<sup>30</sup> on the UN Convention on the Rights of the Child. This remit will be reported on by March 2021.

#### **Reply to paragraph 4 (d) of the list of issues prior to reporting**

75. The Children’s Ombudsman has adapted and further developed a method for listening to children and young people, called Young Speakers. The Young Speakers method aims to create opportunities to listen systematically to children and young people, and is based on children describing things that they themselves have experience of. Children are seen as experts in their own situation and are treated with respect.

76. In 2014 the Children’s Ombudsman reported on an assignment to develop methods for listening to children with various types of disabilities, specifically children with communication difficulties. The Ombudsman interpreted this assignment as relating specifically to the support that may be needed in order for children with disabilities involving communication difficulties to have their say.

#### **Reply to paragraph 4 (e) of the list of issues prior to reporting**

77. The National Board of Health and Welfare has produced an education package about treatment, as a form of support for the child healthcare service in addressing parents who are worried or whose children have been given a diagnosis.

78. In December 2018 the National Agency for Special Needs Education and Schools reported on an assignment regarding support for parents of children with neuropsychiatric disorders. The Agency, together with the Swedish National Agency for Education and the National Board of Health and Welfare, had been tasked with mapping the support available to parents of children with neuropsychiatric disorders and how this can be used within preschool classes, school-age educare,<sup>31</sup> compulsory school and equivalent school forms, and within upper secondary schools and upper secondary schools for individuals with learning disabilities.<sup>32</sup>

79. The Government has initiated a government grant for recruitments within pupil health and special education.<sup>33</sup> The National Agency for Special Needs Education and Schools has also produced support materials for pupil health in order to provide schools with support in developing a more preventive and health-promoting way of working throughout the entire school.

80. The Government has also tasked the Swedish National Agency for Education with working together with the Swedish Public Employment Service, the Swedish Social

<sup>28</sup> ‘Se barnet!’ (‘See the Child!’), SOU 2017:6).

<sup>29</sup> The Education Act (2010:800) already stated that children and pupils should be given influence over education, and that they should be encouraged on an ongoing basis to participate actively in the work to develop education and be kept informed about matters that relate to them. The information and formats for children’s and pupils’ influence should be adapted in accordance with their age and maturity.

<sup>30</sup> Act (2018:1197) on the UN Convention on the Rights of the Child.

<sup>31</sup> School-age educare are a complement to education at e.g. preschool class, compulsory school, compulsory school for children with learning disabilities, special school and Sami school.

<sup>32</sup> See section 4 b for information about the various school forms.

<sup>33</sup> Ordinance (2016:400) on government grants for recruitments within school health services and in special education, and for further training in these fields.

Insurance Agency and the Swedish Agency for Participation to develop and carry out an information and education initiative focusing on reducing the difficulties encountered by young people with intellectual disabilities regarding establishment on the labour market etc.<sup>34</sup>

#### **Reply to paragraph 4 (f) of the list of issues prior to reporting**

81. There are no official statistics regarding the number of reported cases of violence against children with disabilities. There are also no statistics regarding the number of prosecutions or the number of convicted perpetrators. The official criminal statistics in Sweden are not disaggregated in the way requested. However, violence against children with disabilities can be monitored over time through other studies, such as the pupil survey carried out by the Children's Welfare Foundation Sweden in cooperation with Karlstad University. The two most recent surveys were carried out in 2011 and 2016.

82. The latest survey shows that children in Sweden with disabilities or chronic diseases are more vulnerable to violence than children without disabilities or chronic diseases. Pupils who reported physical disabilities, those who reported neuropsychiatric disorders such as ADHD, Asperger's syndrome and autism and those who reported having an eating disorder appear to be particularly vulnerable. Psychological abuse and neglect were reported by more than twice as many pupils with disabilities than by pupils without disabilities or chronic diseases. More pupils with disabilities had been subjected to sexual assaults by an adult compared with pupils who did not have a disability.

#### **Reply to paragraph 4 (g) of the list of issues prior to reporting**

83. Children and young people with disabilities who are unable to remain at the parental home despite various support initiatives may be offered foster care or housing with special service. This initiative should be a complement to the parental home, both for children who can live with their parents for some of the time and for those who cannot live at home at all. The reason for offering this initiative may be an extensive need for medical care around the clock or the child having to attend a school in another location, and not therefore being able to live with his or her parents.

84. In October 2017, 912 children had been given housing in accordance with the Act concerning Support and Service for Persons with Certain Functional Impairments, of whom 327 were girls and 585 were boys. Of these, 44 (roughly as many girls as boys) lived in foster homes and the rest lived in housing with special service. Since 2007 the proportion of children and young people in accommodation for children in accordance with the Act has fallen by 29 per cent. Despite the reduction in accommodation for children, new decisions are still being made. Between 2016 and 2017, 260 new decisions were made which means that 29 per cent of all decisions on accommodation for children in accordance with the Act were new decisions. Compared with previous years, the proportion of new decisions is roughly the same. Most of these children were offered this accommodation due to attending school in a different location, and some due to extensive disabilities with needs that could not be met at home.<sup>35</sup>

85. Operational staff have day-to-day contact with the child and practical responsibility for the child's needs being met when the child is staying in this accommodation. The guardians have custody of the child in accordance with the Parental Code and they should make important decisions relating to the child. As far as possible, those running the accommodation should plan care together with both the child and the child's guardians. If the guardians or the child are unable to participate in this planning, the reason for this should

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<sup>34</sup> U2017/05037/S.

<sup>35</sup> The National Board of Health and Welfare (2019), 'Insatser och stöd till personer med funktionsnedsättning' ('Initiatives and support for persons with disabilities'), status report 2019.

be documented. Those running the accommodation should have regular contact with the child's guardian to facilitate their influence and co-determination.<sup>36</sup>

### **Reply to paragraph 5 (a) of the list of issues prior to reporting**

86. In order to take actions in connection with the Committee's recommendation to draw up a strategy to increase public knowledge about various disabilities and to raise awareness of the Convention (among other reasons), the Government in 2015 tasked the Swedish Agency for Participation with a communication initiative to increase knowledge and awareness of the Convention, in cooperation with the Equality Ombudsman.

87. The Agency reported to the Government in February 2018.<sup>37</sup> The aim of this initiative has been to build up knowledge, devise materials and develop methods in the long term. The Agency's conclusion is that these initiatives have contributed towards knowledge about the Convention and about inadequate accessibility as a form of discrimination.

88. According to the Agency the assignment was carried out with a clear starting point that the individual has rights and that barriers which hinders persons with disabilities to participate on equal terms should be remedied in line with the Committee's recommendations.

89. When it comes to consultation the Agency has carried out this part of the assignment through, for example, strategic consultation with the disability movement (Equally Unique, the Swedish Disability Rights Federation and Network Youth For Accessibility)

90. Additionally, the Agency was tasked in 2017 with taking knowledge-boosting initiatives to counter discrimination against persons with disabilities in the labour market. The remit included taking appropriate actions to increase and disseminate knowledge about discrimination and how it can be countered from an intersectional perspective.

91. Within the framework of the assignment, the Agency has translated and disseminated general comments to the Convention.

### **Reply to paragraph 5 (b) of the list of issues prior to reporting**

92. As detailed in the response to question 5 a, the Swedish Agency for Participation's assignment also included working in cooperation with the Equality Ombudsman to actively disseminate knowledge and raise awareness – to and among the relevant government agencies and private actors – about legislative changes in the Discrimination Act<sup>38</sup> regarding inadequate accessibility as a form of discrimination, which came into force on 1 January 2015.

93. As part of the government remit mentioned in question 5 a, the Agency has also carried out knowledge-boosting initiatives to counter discrimination against persons with disabilities in the labour market, including an advertising campaign about recruitment and a checklist.

94. As part of the same assignment, the Agency has also begun cooperation with Uppsala University to train all public sector employees on human rights. An important part of this cooperation was the Agency's contribution towards the university's web training on human rights.

<sup>36</sup> The National Board of Health and Welfare (2014), 'Stöd till barn och unga med funktionsnedsättning – handbok för rättstillämpning vid handläggning och utförande av LSS-insatser' ('Support for children and young people with disabilities – Handbook for the application of the law when managing and carrying out initiatives relating to the Act concerning Support and Service for Persons with Certain Functional Impairments') and SOSFS 2012:6.

<sup>37</sup> The Swedish Agency for Participation (2018), 'Kommunikationssatsning om rättigheter för personer med funktionsnedsättning – slutrapportering av regeringsuppdrag' ('Communication initiative on rights for persons with disabilities – final report on the government remit'), 2018:7.

<sup>38</sup> The Discrimination Act (2008:567).

95. The Swedish Public Employment Service has carried out regular campaigns to increase employment among persons with disabilities, including the campaigns ‘Se kompetensen’ (‘See the competence’) and ‘Gör plats’ (‘Make space’).

### **Reply to paragraph 6 (a) of the list of issues prior to reporting**

96. See the response to question 1 d regarding the new national goal for disability policy.

97. The following laws have been amended during the period 2014–2018:

- The Elections Act was amended in both 2014 and 2015 (see the response to question 22 a);
- Inadequate accessibility was added to the Discrimination Act as a form of discrimination in 2015. The law was expanded further in 2018 (see the response under question 1 c);
- A new Administrative Procedure Act came into force in July 2018;
- The Law on Access to Digital Public Service<sup>39</sup> came into force in 2019;
- In its bill Policy for designed living environments,<sup>40</sup> the Government presented a combined policy for architecture, form and design, and proposed a new goal for this area;
- A new Act on Housing Adaptation Grants<sup>41</sup> came into force on 1 July 2018.

98. In 2017 the Government decided on a national digitalisation strategy which states that all people, regardless of their social background, functional capacity and age, shall be offered the right conditions to make use of digital information and services from the public sector and to participate in society in an equal manner.

99. The EU’s procurement directives,<sup>42</sup> have been implemented in Sweden.

100. State Agencies, for example The Agency for Digital Government, the National Board of Housing, Building and Planning, The Swedish Post and Telecom Agency and the Swedish Transport Administration has carried out measures to increase accessibility for persons with disabilities.

101. See also the response to question 15 about personal mobility.

### **Reply to paragraph 6 (b) of the list of issues prior to reporting**

102. See response 1 d on the new national goal for disability policy and response 1 b on the Disability Policy Management Inquiry.

103. In 2014 the Government made funding available to municipalities that have surveyed the physical accessibility of their multiple dwelling housing stock. Alongside the funding for accessibility surveys, the National Board of Housing, Building and Planning was commissioned by the Government during 2011–2016 to work on promoting increased physical accessibility.

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<sup>39</sup> Act (2018:1937) on accessibility to digital public service.

<sup>40</sup> Politics for a designed habitat (Govt Bill Politik för gestaltad livsmiljö 2017/18:110).

<sup>41</sup> Act (2018:222) on housing adjustment grants.

<sup>42</sup> Directives 2014/24/EU and 2014/25/EU.

104. There have been extensive reforms within the field of procurement in recent years: three new procurement acts,<sup>43</sup> a decision on a national procurement strategy<sup>44</sup> and the establishment of a support agency, the National Agency for Public Procurement.

### **Reply to paragraph 6 (c) of the list of issues prior to reporting**

105. See the response to question 1 d regarding the new national goal for disability policy. This bill and the Budget Bill for 2019 state that the principle of responsibility and financing must clearly apply.<sup>45</sup> The principle is fundamental within Swedish disability policy, and means that every sector of society shall have a responsibility for designing, financing and running its operations so that they are available to all citizens, including persons with disabilities.

106. See also the response to question 1 c on the Discrimination Act.

107. The national plan for state transport infrastructure is reviewed regularly, approximately every four years. The most recent review took place in May 2018. See also the response under 6 a under other rules within the field of transport.

108. The National Board of Housing, Building and Planning has issued guidance texts on its website on the accessibility requirements included in the Planning and Building Act<sup>46</sup> and the Planning and Building Ordinance.<sup>47</sup>

### **Reply to paragraph 6 (d) of the list of issues prior to reporting**

109. The municipalities are subject to the new national goal for disability policy reported in question 1 d, which constitutes an important measure in strengthening the work involved in removing barriers to accessibility within municipalities.

110. Another action that creates the right conditions for removing barriers to accessibility within municipalities is the decision on inadequate accessibility as a new form of discrimination in the Discrimination Act, as also reported under question 1 c.

111. A central actor for improving accessibility, particularly at municipal level but also at national level, is the National Board of Housing, Building and Planning. The Board has sectoral responsibility for disability issues. See also details of the Board's commissions under question 6 a.

### **Reply to paragraph 6 (e) of the list of issues prior to reporting**

112. The Law on Access to Digital Public Service<sup>48</sup> includes accessibility requirements. Digital public service means information and services provided on websites and via mobile apps by a public actor. The law enacts the EU's Web Accessibility Directive. The Agency for Digital Government has been tasked with carrying out supervision.

113. Within the government remit 'Alla väljare' ('All voters'), the Swedish Agency for Accessible Media has carried out actions relating to accessible information as a requirement for political participation. An account of these can be found in the response to question 22 a.

<sup>43</sup> The Public Procurement Act (2016:1145), the Act (2016:1146) on Procurement within the Water, Energy, Transport and Postal Services Sectors, and the Act (2016:1147) on Public Procurement of Concessions.

<sup>44</sup> <https://www.government.se/4aba88/contentassets/9ec42c71c00442a39d67169d3c25faed/national-public-procurement-strategy.pdf>.

<sup>45</sup> Govt Bill 2016/17:188, National goal and direction of disability policy, Budget Bill 2018/19:1, UO 9.

<sup>46</sup> The Planning and Building Act (2010:900).

<sup>47</sup> The Planning and Building Ordinance (2011:338).

<sup>48</sup> The Law on Access to Digital Public Service (2018:1937).

**Reply to paragraph 7 (a) of the list of issues prior to reporting**

114. There is no national strategy or local strategies for disaster risk reduction, as this is dealt with in existing legislation. At local level, the municipality is responsible for crisis and disaster management and thereby also has a responsibility to deal with and assist people who need special support (the municipality conducts an assessment). When it comes to providing information about risks, the Swedish Civil Contingencies Agency carries out a number of initiatives. One example is the leaflet *If crisis or war comes*. This information is available in several languages, in Braille, in simple Swedish and as text-to-speech on the Agency's website.

**Reply to paragraph 7 (b) of the list of issues prior to reporting**

115. The Swedish Civil Contingencies Agency does not currently carry out any work in which the Agency involves persons with disabilities or representatives from interest groups.

**Reply to paragraph 8 (a) of the list of issues prior to reporting**

116. Those who need help managing their own affairs can, in most cases, obtain this through a special representative or in some less interventional manner. A special representative shall carry out his or her assignment together with the individual, and does not replace the individual's opportunities to make his or her own decisions. An administrator is appointed only when an individual is incapable of caring for himself or herself, and cannot get help in a less interventional manner. Even in the case of administratorship, the individual should be involved when appropriate.

**Reply to paragraph 8 (b) of the list of issues prior to reporting**

117. The municipality's chief guardian supervises the activities of special representatives and administrators. Supervisory responsibility over the chief guardian lies with the county administrative board.

118. In July 2019 the Government appointed an inquiry to review the rules for special representatives and administrators.<sup>49</sup> Among other things, this review aims to improve supervision within this area and to strengthen the individual's position and protection. The Swedish Agency for Public Management has also recently considered, on behalf of the Government, how the county administrative boards' coordination of supervision and supervisory guidance within the area of special representatives and administrators can be improved. In addition, those county administrative boards that are responsible for supervising chief guardians have recently drawn up certain guidelines intended to improve supervision within this area.

**Reply to paragraph 8 (c) of the list of issues prior to reporting**

119. An individual can have a special representative or an administrator to help them safeguard their rights, manage their property and care for them. The assignment should be adapted according to the individual's needs. The extent of the support needed by an individual therefore depends on the individual's needs.

120. A special representative or administrator should always act in the individual's best interests. The aim of an assignment as special representative or administrator is that the individual should enjoy good living conditions and be able to live as independently as possible.

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<sup>49</sup> Dir. 2019:44 'Ställföreträderskap att lita på – en översyn av reglerna om gode män och förvaltare' ('Authorised representatives to rely on – an overview of the rules on conservators and administrators').

121. There is no implementation plan for the assignment of acting as a special representative. Instead, the individual and the special representative should jointly decide what the assistance should involve within the framework of the assignment. Nor is there any implementation plan for the assignment of administrator. Instead, the need for assistance governs how the assignment is carried out.

122. If a special representative or an administrator is no longer needed, the conservatorship or administratorship should cease.

### **Reply to paragraph 9 (a) of the list of issues prior to reporting**

123. The Discrimination Act prohibits discrimination in the form of inadequate accessibility for persons with disabilities. This means that reasonable measures must be taken to ensure that persons with disabilities can be in a comparable situation to persons without disability. The Act covers public sector employees when they assist the public with information, guidance or advice etc. It also applies when public sector employees have contact with the public in other ways.

124. Those who believe that they have been subjected to discrimination can file a complaint with the Equality Ombudsman. The Ombudsman monitors compliance with the Discrimination Act, and in the first instance shall try to ensure that those who are covered by the law follow it. The Ombudsman or a voluntary organisation that, according to its statutes, must protect its members' interests may bring a case before a court on behalf of an individual who allows this. Within the field of working life, an employee organisation has the right to bring a case on behalf of an individual.

### **Reply to paragraph 9 (b) of the list of issues prior to reporting**

125. Since 2017 the Swedish Police have a handbook for arrest operations. The handbook aims to provide uniform methods and procedures to ensure that arrest operations are carried out by the police in a uniform and legally sound manner. The handbook contains rules and procedures for persons with disabilities, for example in relation to safety assessments and supervision.

126. When it comes to the design of arrest premises, particular attention should be paid to accessibility for persons with disabilities. Rooms used for holding intoxicated, violent or sick persons shall have suitable furnishings and fixtures. If possible, the furnishings and fixtures of a holding room shall be designed and equipped with safety arrangements so that the detainees cannot harm themselves or anyone else. Among other things, the room shall have a signalling system to draw attention.

127. A safety assessment should be carried out of every person arrested and brought in. This safety assessment aims to meet the detainee's need for care in terms of mental and physical health and suicide risk.

128. In terms of interrogation, the Swedish Prosecution Authority worked together with the Swedish Police in October 2018 to draw up guidance for planning and carrying out interrogations with adults with non-visible disabilities such as autism, ADHD, ADD and intellectual disabilities. The guidance also relates to questioning children, with or without disabilities. It also aims to raise awareness on possible adaptation needs regarding reception and questioning of adults with intellectual disabilities or certain neuropsychiatric disorders.

129. When it comes to detention, all individuals who are taken into detention in Sweden are examined by a nurse, who reports to a doctor. An examination by a doctor is arranged if the nurse believes that the detainee needs to be examined by a doctor or if the detainee requests such an examination. The assessment of a doctor outside the Swedish Prison and Probation Service is treated as a second opinion. If it is noted during detention that the detainee has a hearing impairment or is deaf, a sign language interpreter should be summoned. A detainee with serious visual impairment or blindness should be provided with the assistance devices needed to carry out his or hers daily routines while in custody.

**Reply to paragraph 9 (c) of the list of issues prior to reporting**

130. No special measures regarding persons with disabilities have been taken to assess the individual's needs or possibility to understand and being able to participate in criminal proceedings. The Swedish Prison and Probation Service does however provide interpreting support in certain situations, which also includes persons with serious visual, hearing or speech impairments. It is custody staff who determine whether an interpreter needs to be summoned.

131. Action has also been taken regarding training to ensure that those who come into contact with the individual have knowledge about human rights. The training links to the grounds of discrimination and the Service's equal treatment guidelines.

132. See also the response to question 9 b.

**Reply to paragraph 9 (d) of the list of issues prior to reporting**

133. The Swedish Police's work to ensure that children with disabilities are given equal opportunities includes the use of a scientifically tested method of questioning and the development of cooperation with municipalities and county councils within the framework of child advocacy centres. The Swedish Police use a structured questioning method with open questions, which aims to ensure that the child himself or herself describes what he or she has been subjected to. The usage of language that is relevant to the child and to give the child time to explain and describe every question, regardless of the child's age and disability is important. At child advocacy centres, planning takes place in connection with the specific needs of the individual child, and police employees can receive planning support from both social workers and psychologists.

134. Since 2008 the Swedish Police have had specially trained police officers to investigate crimes against children.

135. The Swedish Prosecution Authority has specific prosecutors who are appointed to be responsible for investigating crimes against children.

136. The Swedish Prosecution Authority has produced a handbook about crimes against children and a handbook for dealing with victims of crime, which includes dealing with children and victims of crime with disabilities. The Swedish Prosecution Authority and the Swedish Police have also drawn up guidance for police officers and prosecutors to use when planning and carrying out the questioning of children and of adults with certain disabilities, such as ADHD, ADD and intellectual disabilities.

137. Children who are victims of crimes can have a counsel for the injured party or, if a guardian is suspected of the crime, a special representative during both the preliminary investigation and the trial.

**Reply to paragraph 9 (e) of the list of issues prior to reporting**

138. In terms of training lawyers, the Swedish Bar Association arranged the seminar 'Persons with mental ill-health and intellectual disabilities – how are their rights ensured in the legal process?' in 2017. The seminar was led by representatives from Civil Rights Defenders.

139. The Swedish Prosecution Authority has handbooks that aim to give prosecutors guidance and support in investigations and criminal prosecutions. The Swedish Prosecution Authority has a handbook for dealing with victims of crime, which includes dealing with children and victims of crime with disabilities. See also the response to question 9 d. The Swedish Prosecution Authority's website has information about how persons with disabilities should be treated, both as victims and as suspects. There are also links to other government agencies with relevant information.

140. Within the Swedish courts, training has been devised to raise awareness about different types of disabilities, including by showing how different situations can appear to a

person with a disability and which adaptations can be made. Questions about treatment in the courtroom, including how the needs of persons with disabilities can be taken into account to achieve good treatment, are discussed within the framework of training for both permanent judges and trainee judges.

141. The Swedish Crime Victim Compensation and Support Authority has worked to increase employees' competence regarding the conditions and needs of persons with disabilities and victims of crime with disabilities.

### **Reply to paragraph 9 (f) of the list of issues prior to reporting**

142. The Swedish courts, the Swedish Prosecution Authority and the Swedish Prison and Probation Service work continuously with initiatives to facilitate and adapt workplaces and working methods in order to be inclusive and effective for all, including persons with disabilities.

### **Reply to paragraph 10 (a) of the list of issues prior to reporting**

143. No specific measures have been carried out to repeal legislation on forced institutionalisation. However, a number of initiatives have been taken since 2014 to ensure the quality and safety of the actions provided. Examples of such actions are given below:

- In 2017 the National Board of Health and Welfare decided on national guidelines for care in the case of depression and anxiety;
- Certain legislative changes came into force on 1 July 2017 with the aim of creating better conditions for patients to participate in care provided with the support of the Act on Compulsory Psychiatric Care and the Act on Forensic Psychiatric Care (see the response to question 12 a);
- The Government has tasked the national coordinator for developing and coordinating initiatives within the field of mental health with carrying out a review of forced measures in accordance with the Act on Compulsory Psychiatric Care directed at children and young people under the age of 18 (see the response to question 12 a);
- The National Board of Institutional Care has devised a programme for effective conflict management called 'No Power No Lose' (see the response to question 12 a).

144. When it comes to measures for improving training for medical staff, a systematic development project – 'Bättre vård – mindre tvång' ('Better care – less forcing') – has been carried out within psychiatric in-patient care during the period 2010–2012 through an agreement between the Government and the Swedish Association of Local Authorities and Regions (see the response to question 12 a).

### **Reply to paragraph 10 (b) of the list of issues prior to reporting**

145. The Patient Act<sup>50</sup> stipulates that the patient's self-determination and integrity must be respected, and that healthcare must not be provided without the patient's consent unless otherwise stated in this or any other law. Before consent is obtained, the patient must receive information.<sup>51</sup>

146. On admission to a psychiatric ward ('in-patient care'), the individual can either be admitted via a care certificate (see compulsory psychiatric care) or be voluntarily admitted to a ward, which is the most common way. On a ward, the patient has access to help 24 hours a day and receives support and care.

147. For compulsory psychiatric care, a special doctor's certificate – a care certificate – is required. In order for compulsory psychiatric care to occur, three conditions must be met and

<sup>50</sup> The Patient Act (2014:821).

<sup>51</sup> Chapter 4, Sections 1–2.

this must be stated on the care certificate. First, the individual must be suffering from serious mental health problems. Second, the individual must have an absolute need for psychiatric care around the clock due to his or her mental condition and personal circumstances. This must take place at a medical institution. The third criterion is that the individual opposes care for his or her mental health condition or is so ill that he or she is unable to assess his or her need for care. Compulsory psychiatric care must not be applied in cases relating only to an intellectual disability or other disability. There is no legal support for applying compulsory psychiatric care to individuals with psychosocial difficulties. As a rule, these individuals instead receive the care and nursing they need through initiatives such as living in group accommodation once they have reached the age of 18.

### **Reply to paragraph 10 (c) of the list of issues prior to reporting**

148. The previous institution-like forms of accommodation for persons with disabilities were replaced long ago with other forms of accommodation based on the objective that support to persons with disabilities should be designed to create the right conditions for an independent life on equal terms to others, in accordance with the Convention. Housing is a central aspect of a person's life, and persons that are unable to live in accommodation within the regular housing market due to a disability should receive the support they are entitled to in accordance with the Social Services Act and the Act concerning Support and Service for Persons with Certain Functional Impairments. A survey carried out by the National Board of Health and Welfare on behalf of the Government<sup>52</sup> shows, among other things, that there were certain tendencies towards more people living in group accommodation than the three to five people recommended by the Board in its general advice. The Inquiry appointed by the Government on the Act concerning Support and Service for Persons with Certain Functional Impairments<sup>53</sup> shows that there is great awareness among government agencies and interest groups regarding the necessity to monitor the quality of accommodation for persons with disabilities to counter tendencies towards institutionalisation. In the Inquiry's opinion, the National Board of Health and Welfare's general advice and the Health and Social Care Inspectorate's supervision and licensing of accommodation for persons with disabilities are sufficient measures.

### **Reply to paragraph 10 (d) of the list of issues prior to reporting**

149. See the response to question 10 c. The following measures aiming to increase legal security can be mentioned:

150. Care providers should report forced measures within psychiatry. This applies to restrictions on the patient's right to use electronic communication services and monitoring what is sent, as well as decisions on restraint using straps or isolation.

151. The Health and Social Care Inspectorate (IVO) shall, in a uniform, effective and legally sound manner, review reports from care providers regarding decisions made on restraint or isolations, restrictions on the patient's right to use electronic communication services or decisions to monitor what is sent.

### **Reply to paragraph 10 (e) of the list of issues prior to reporting**

152. No specific measures have been taken regarding being discharged following forensic psychiatric care. However, the Riksdag has decided on the Act<sup>54</sup> on Cooperation during Discharge from In-patient Healthcare. The Act came into force on 1 January 2018 and involves a detailed discharge process in which out-patient care has greater responsibility for the coordination and implementation of planning.

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<sup>52</sup> Mapping and analysis of certain initiatives in accordance with the Act concerning Support and Service for Persons with Certain Functional Impairments 2015.

<sup>53</sup> Review of measures according to LSS and the assistance benefit (SOU 2018:88).

<sup>54</sup> Act (2017:612) on Cooperation during Discharge from In-patient Healthcare.

### **Reply to paragraph 10 (f) of the list of issues prior to reporting**

153. The Act on Compulsory Psychiatric Care and the Act on Forensic Psychiatric Care state which decisions can be appealed by the patient to the administrative court. A patient being cared for with the support of these acts shall be informed of his or her right to appeal certain decisions, etc., through the chief consultant<sup>55</sup> as soon as the patient's condition permits this. The chief consultant shall ensure that a patient receiving compulsory care is informed of his or her right to a support person as soon as the patient's condition permits this. When the patient so requests, a support person shall be appointed. A support person can also be appointed in other cases if the patient does not oppose this. The Act on Compulsory Psychiatric Care and the Act on Forensic Psychiatric Care shall be posted at the hospital so that they are clearly visible to patients.<sup>56</sup>

### **Reply to paragraph 10 (g) of the list of issues prior to reporting**

154. There are a number of different support initiatives for persons with psychosocial disabilities, including housing support and personal representatives. Housing support has increased in recent years, except from 2016 to 2017. See also the response to question 4 b in relation to initiatives on mental health and agreements with the Swedish Association of Local Authorities and Regions.

155. It was reported in the Budget Bill for 2018<sup>57</sup> that the Government is carrying out broad reforms to strengthen healthcare, with a particular focus on primary care, accessibility and employees' conditions. The bill also mentions that it is important for the accessibility of e.g. emergency care and specialist care to correspond to existing needs, for example in relation to care places. Strengthening primary care and specialised out-patient psychiatry increases the opportunities for persons with psychosocial disabilities who live in their own accommodation or in accommodation with special support to get the help they need.

### **Reply to paragraph 10 (h) of the list of issues prior to reporting**

156. When it comes to compulsory psychiatric care in accordance with the Act on Compulsory Psychiatric Care and the Act on Forensic Psychiatric Care, there is a lack of combined statistics at national level.

157. In terms of psychiatric care in voluntary forms, there is no legal support in Sweden for detaining persons with disabilities at a hospital against their will. Nor is there any legal support for applying compulsory psychiatric care to individuals with psychosocial difficulties. Instead, these individuals receive the care and nursing they need through initiatives such as living in group accommodation once they have reached the age of 18.

### **Reply to paragraph 10 (i) of the list of issues prior to reporting**

158. The Council of Europe's Committee on Bioethics (DH-BIO) and its Steering Committee for Human Rights (CDDH) feature strong support for continued work with the protocol project.

159. At the same time, widespread concern is noted that the protocol, in contravention of its aim, may be understood as legitimate support for measures not in agreement with the Convention. It is therefore positive that DH-BIO re-examines the draft version and gives further consideration to highlighting the need for alternative and preventive measures. It is also positive, and important, that representatives from disability organisations are invited to

<sup>55</sup> In accordance with Act (1991:1128) on Compulsory Psychiatric Care Section 30 and Act (1991:1129) on Forensic Psychiatric Care Section 26.

<sup>56</sup> In accordance with Section 48 of the Act on Compulsory Psychiatric Care and Section 30 of the Act on Forensic Psychiatric Care.

<sup>57</sup> Budget Bill 2018 (Gvt Bill 2017/18:1).

take part in this work. It is not deemed to be appropriate to take any actions to oppose the adoption of the protocol.

### **Reply to paragraph 11 (a), (b), (c) and (d) of the list of issues prior to reporting**

160. The National Board of Health and Welfare has been assigned a number of remits by the Government on compulsory psychiatric care, including training for staff at residential care homes and a remit relating to integrated, specialised in-patient care in accordance with the Care of Young Persons (Special Provisions) Act and healthcare (primarily psychiatric care).

161. The National Board of Institutional Care has devised a programme for effective conflict management called ‘No Power No Lose’. This programme was devised for staff who work directly with clients and young people. Staff receive education and training on safe behaviour, dealing with their own stress and using preventive strategies to avoid forced measures.

162. Actions for improving the training of medical staff have also been described in the response to question 10 a.

### **Reply to paragraph 11 (e) of the list of issues prior to reporting**

163. The OPCAT unit, like the Parliamentary Ombudsmen as a whole, has a mandate to carry out supervision of courts and government agencies, as well as officials and other employees. The OPCAT unit regularly inspects public institutions where individuals are detained, such as youth detention centres, psychiatric clinics and criminal care institutions. The unit is also authorised to carry out supervision of other public institutions where de facto detention could take place, such as municipal accommodation in accordance with the Social Services Act and the Act concerning Support and Service for Persons with Certain Functional Impairments. However, similar operations under private management lie outside the authorisation of the Parliamentary Ombudsmen and the OPCAT unit. The question of implementing a broad review of the Parliamentary Ombudsmen’s operations is, however, currently being prepared within the Riksdag’s Constitution Committee. The OPCAT unit’s supervisory operations take physical and mental disabilities, age and gender into particular account, together with the special needs that these circumstances involve. The OPCAT unit also continuously exchanges information with various relevant interest groups.

### **Reply to paragraph 12 (a) of the list of issues prior to reporting**

164. One measure that has been taken is that in 2014 the National Board of Health and Welfare announced regulations and general advice on the work carried out by social services and healthcare with regard to violence in close relationships,<sup>58</sup> in accordance with which the Social Services Committee – both when planning its operations and in individual initiatives – should take into account the special needs that persons who have been subjected to violence may have due to e.g. age or disability.

165. Other measures that have been taken since 2014 that do not only apply to persons with disabilities but that aim to counter violence in close relationships, include the Government’s remit to the National Board of Health and Welfare. The assignment contains development funding to municipalities and county councils to work with the county administrative boards and the National Centre for Knowledge on Men’s Violence Against Women.<sup>59</sup>

166. The Government has also commissioned the National Board of Health and Welfare to support the development of work on men’s violence against women within care and nursing

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<sup>58</sup> SOSFS 2014:4.

<sup>59</sup> S2016/00633/FST.

during the period 2018–2021.<sup>60</sup> The county administrative boards have also been tasked by the Government with supporting the work of social services and healthcare within this area at regional level.<sup>61</sup> The Government and the Swedish Association of Local Authorities and Regions have also entered into a gender equality policy agreement for 2018–2020 which aims, among other things, to support municipalities' and county councils' own regional support and cooperation structures in the work of social services and healthcare regarding violence in close relationships, etc.

### **Reply to paragraph 12 (b) of the list of issues prior to reporting**

167. Since 2016 the Swedish Police have guidelines for operations relating to victims of crime and personal safety, and these were revised in 2018. The Swedish Police also developed method support for work relating to victims of crime and personal safety in 2017 that includes support to the police when dealing with victims of crime with special needs and information about victims of crime with disabilities.

168. Within the framework of risk assessments, any disability of the victim is taken into account via vulnerability factors.

169. When assessing the penal value, the court shall take particular account of whether the defendant took advantage of anyone else's defenceless position or difficulties defending himself or herself.<sup>62</sup>

### **Reply to paragraph 12 (c) of the list of issues prior to reporting**

170. See response to question 12 a regarding the regulations and general advice of the National Board of Health and Welfare.

171. In 2015 the Government also tasked Linköping University with gathering and disseminating knowledge about violence and other abuses against children. As a consequence Linköping University established a national competence centre, Barnafriid. The University has also been tasked with devising and implementing a competence development programme for staff within front-line care and specialised psychiatry for children and young people. The final report on this remit is to be presented in 2022.

## **BC. Reply to paragraph 12 (d) of the list of issues prior to reporting**

172. In 2014 the Government tasked Uppsala University with devising and implementing an overall programme for competence development initiatives for the human rights of state administration employees. As a complement to this, a module on the Convention has been developed.

173. Since 2014 the Government has had an agreement with the Swedish Association of Local Authorities and Regions on strengthening work for human rights at municipal level.

174. In 2018 the Government tasked the National Board of Health and Welfare with carrying out web-based training on the responsibility of healthcare and social services to work on human rights within professional practice.

175. The Swedish Police have attached great importance to human rights, as well as knowledge about and conditions for persons with disabilities, when developing its training. This include interrogation methods, order and security, and crime in close relationships.

176. In 2017 the Government tasked the Swedish Police with improving the competence of police employees in dealing with persons with mental ill-health through strengthened training initiatives within this field.

<sup>60</sup> S2018/03516/JÄM.

<sup>61</sup> S2017/07420/JÄM.

<sup>62</sup> Chapter 29, Section 2, paragraph 3 of the Swedish Penal Code.

177. The Government has taken the initiative for a number of measures within the field of education, such as the opportunity for teachers to carry out special teacher training specialising in e.g. deafness or hearing impairment, visual impairment or learning disabilities.<sup>63</sup> In 2018 new objectives were added to the qualification descriptor for special teacher and special educational needs teacher education.<sup>64</sup> An ongoing initiative is also the training that has been specially devised for supervisors who receive students for workplace learning<sup>65</sup> that the Swedish National Agency for Education provides.

### **Reply to paragraph 12 (e) of the list of issues prior to reporting**

178. There are no Swedish crime statistics disaggregated by the category of persons with disabilities. Consequently, the requested statistics are unavailable. However, studies have been carried out during the last two decades to increase knowledge within this area.

### **Reply to paragraph 13 (a) of the list of issues prior to reporting**

179. In 2016 the Government decided on a directive for an inquiry<sup>66</sup> to review the initiatives within the Act concerning Support and Service for Persons with Certain Functional Impairments and assistance benefits. In January 2019 the Inquiry submitted proposals that included amended rules for assistance benefits.<sup>67</sup> These proposals are currently being prepared within the Government Offices.

180. In July 2019 the Government submitted a bill to the Riksdag on proposed changes to the Act concerning Support and Service for Persons with Certain Functional Impairments, coming into force on 1 November 2019. These changes involve help with breathing being such a fundamental need that it may bring entitlement to personal assistance in accordance with the Act concerning Support and Service for Persons with Certain Functional Impairments. The Government intends to prepare a bill as soon as possible whereby all stages of help with breathing and enteral nutrition shall bring entitlement to personal assistance.

181. The Government parties, the Centre Party and the Liberal Party have in an agreement agreed on a number of proposed actions to be carried out during the mandate period with the intention of ensuring that personal assistance and assistance benefits feature high quality and legal security, and that everyone who is entitled to support receives it. These proposals include the right to personal assistance for self-care.

182. In accordance with the agreement with the Centre Party and the Liberal Party, the Government also intends to submit proposals during the mandate period on issues relating to parental responsibility and a stronger need for supervision.

### **Reply to paragraph 13 (b) of the list of issues prior to reporting**

183. According to the Act concerning Support and Service for Persons with Certain Functional Impairments, municipalities are obliged to establish housing with special service for those who need it. The municipality's duty also includes ongoing follow-up of who is covered by the Act and what their needs are in terms of support and service, and to ensure that their needs are met.

184. The Health and Social Care Inspectorate has been tasked by the Government and the Riksdag with carrying out supervision and issuing licences for housing with special service.

<sup>63</sup> U2018/00504/S on continued responsibility for the implementation of the Boost for Teachers II.

<sup>64</sup> Ordinance (2017:1111) on amendments to the Higher Education Ordinance (1993:100).

<sup>65</sup> The Swedish National Agency for Education's website:

<https://www.skolverket.se/skolutveckling/nationella-skolutvecklingsprogram#h-Programskolaocharbetslivsamtvadarestudier>.

<sup>66</sup> Dir. 2016:40 'Översyn av insatser enligt LSS och assistansersättningen ('Review of initiatives in accordance with the Act concerning Support and Service for Persons with Certain Functional Impairments and assistance benefits').

<sup>67</sup> Review of measures according to LSS and the Assistans benefit (SOU 2018:88).

If a municipality does not execute a decision on assistance such as housing with special service, the Inspectorate can apply to the administrative court for a special charge to be imposed (see question 13 c).

185. In addition to housing with special service, a number of other measures can be offered to persons with disabilities that contribute to an independent life in their own accommodation. See also the response to question 10 g.

186. In 2018 the Riksdag decided on an Act on Housing Adaptation Grants.<sup>68</sup> Persons with disabilities may be entitled to financial grants from the municipality to adapt their homes. The Act aims to give persons with disabilities the possibility to live independent lives through grants for adaptations.

### Reply to paragraph 13 (c) of the list of issues prior to reporting

187. If a decision on support in accordance with the Social Services Act or initiatives in accordance with the Act concerning Support and Service for Persons with Certain Functional Impairments are not implemented within three month of the decision being made, the municipality's social welfare board shall report this to the Health and Social Care Inspectorate. The municipalities' reports to the Inspectorate of unimplemented decisions in accordance with the Act have increased by just under 60 per cent during the last three years. For certain initiatives in accordance with the Act concerning Support and Service for Persons with Certain Functional Impairments, the median implementation time has fallen regarding advice and support, and to relief services.<sup>69</sup>

188. The Swedish National Audit Office is carrying out a review of the Government's actions when the Social Services Act and the Act concerning Support and Service for Persons with Certain Functional Impairments are not complied with. The aim of this review is to investigate whether the reporting obligation and sanctions systems are sufficient to ensure that the intentions of the legislation can be achieved. The results of the review will be presented in September 2019.

### Reply to paragraph 13 (d) of the list of issues prior to reporting

Table

#### Total number of persons receiving municipal and state personal assistance, disaggregated by number and gender

<i>Number of persons receiving personal assistance</i>	<i>Municipal assistance</i>		<i>State assistance</i>		<i>Municipal and state assistance</i>
	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>	
<i>Year</i>					<i>Total number</i>
2014	1 950 (48%)	2 829 (52%)	7 384 (46%)	8 631 (54%)	20 115
2018	2 288 (45%)	2 829 (55%)	6 658(46%)	7 938 (54%)	19 696

<sup>68</sup> The Act on Housing Adaptation Grants (2018:222).

<sup>69</sup> The National Board of Health and Welfare (2019). 'Insatser och stöd till personer med funktionsnedsättning' ('Initiatives and support for persons with disabilities'). Status report 2019.

Table  
**Number of persons receiving municipal and state personal assistance aged 0–24.\***

Number of persons receiving personal assistance	Municipal assistance aged 0-22		State assistance aged 0-24	
	Year	Women	Men	Women
2014	441 (41%)	646 (59%)	2 046 (41%)	2 931 (59%)
2018	606 (41%)	995 (59%)	1 658 (41%)	2 370 (59%)

\* This information is taken from two sources of statistics with different age intervals for municipal personal assistance and state assistance benefits.

Source: The National Board of Health and Welfare and the Swedish Social Insurance Agency

Table  
**Number of persons receiving municipal and state personal assistance aged 23–64\***

Number of persons receiving personal assistance	Municipal assistance aged 23–64		State assistance aged 25–64	
	Year	Women	Men	Women
2014	1 182 (50%)	1 187 (50%)	3 984 (47%)	4 516 (53%)
2018	1 308 (47%)	1 450 (53%)	3 618 (45%)	4 334 (55%)

\* This information is taken from two sources of statistics with different age intervals for municipal personal assistance and state assistance benefits.

Source: The National Board of Health and Welfare and the Swedish Social Insurance Agency

189. For statistics on individual municipalities regarding personal assistance in accordance with the Act, see appendix.

### Reply to paragraph 14 of the list of issues prior to reporting

190. The response to question 6, dealing with art. 9, reports on measures in the physical environment to increase the usability of the transport system for persons with disabilities. Other measures relating to personal mobility are detailed below.

191. The Government decided in autumn 2016 to task a specific investigator with analysing the rules for special passenger transport (mobility service, national mobility service, patient transport and school transport) in order to identify barriers to municipal and regional government agencies achieving effective coordination of the organisation and implementation of such transport services, and to propose amended or new rules in order to remove such barriers.

192. In the appropriation letter for 2018, the Swedish Agency for Participation was tasked with mapping and analysing the quality of implementation of mobility service journeys.

193. The Government has tasked Transport Analysis with mapping barriers to accessibility and usability within the public transport system for persons with disabilities. The report<sup>70</sup> was published in March 2019.

194. Those who have a lasting disability and have great difficulties moving around or travelling by public transport may be entitled to a car allowance. The car allowance was reformed in 2017. In 2018 the Government decided on an assignment to analyse the consequences the new legislation has had on opportunities for individuals to make use of a car allowance. Against the background of the measures proposed in this follow-up, the Government circulated the memo 'Bilstöd – Ökade möjligheter till anpassning' ('Car

<sup>70</sup> 'Kollektivtrafikens barriärer – kartläggning av hinder i kollektivtrafikens tillgänglighet för personer med funktionsnedsättning' ('Public transport barriers – mapping barriers to accessibility in public transport for persons with disabilities', Report 2019:03).

allowance – greater opportunities for adaptation’) for comment in September 2019. The Government intends to propose that the car allowance for persons with disabilities is adjusted to improve its suitability.

195. A special parking permit can be issued to persons with physical disabilities. Several initiatives within this area have been carried out since 2014, including the question of parking permit fraud.

### **Reply to paragraph 15 of the list of issues prior to reporting**

196. Before drawing up the Data Protection Act with supplementary provisions to the EU’s General Data Protection Regulation, the proposal was sent out for referral,<sup>71</sup> including to the Swedish Disability Federation<sup>72</sup>. In terms of sector-specific regulation within the Ministry of Health and Social Affairs’ area, the report was circulated for comment<sup>73</sup> to the Swedish Disability Rights Federation and to Equally Unique, the Swedish Federation Human Rights for Persons with Disabilities.

### **Reply to paragraph 16 of the list of issues prior to reporting**

197. Swedish legislation does not contain any specific regulations for persons with disabilities regarding guardianship, adoption or the actual adoption process.

198. A handbook for how social services deals with national and international adoptions was produced by the National Board of Health and Welfare in 2014. The Family Law and Parental Support Authority has also drawn up general advice for social services when dealing with adoption cases, which was last revised in June 2017.<sup>74</sup> These guidelines are currently being reviewed against the background of, for example, the Committee’s observations and recommendations.

### **Reply to paragraph 17 (a) of the list of issues prior to reporting**

199. According to the Education Act (2010:800), all children and young people shall have equal access to education within the school system irrespective of their geographical location and socioeconomic circumstances. This education shall take into account the different needs of children and pupils.<sup>75</sup> The Swedish education system is based on the principle of inclusion, and the vast majority of pupils receive their education via compulsory school and upper secondary school.

200. Several changes have been made to the provisions on support since 2014. For example, the provisions on special support were supplemented with provisions on support in the form of extra adaptations within the framework of ordinary teaching.<sup>76</sup> An addition was made to the Education Act in 2014, whereby pupils who have difficulties achieving the various knowledge requirements or the requirements levels as a result of a disability shall be given support that aims as far as possible to counter the consequences of their disability.<sup>77</sup>

201. The Government has carried out a number of initiatives to increase access to special educational needs teachers. In 2016 the Government decided on a new government grant to enable schools to employ more special educational needs teachers and to offer further

<sup>71</sup> The new data protection legislation (SOU 2017:39).

<sup>72</sup> The name was changed in 2017 to the Swedish Disability Rights Federation

<sup>73</sup> ‘Dataskydd inom Socialdepartementets område – en anpassning till EU:s dataskyddsförordning’ (‘Data protection within the Ministry of Health and Social Affairs’ area – adaptation in line with the EU’s General Data Protection Regulation’, SOU 2017:66).

<sup>74</sup> HSLF-FS 2017:48.

<sup>75</sup> Chapter 1, Sections 4 and 8 of the Education Act.

<sup>76</sup> Government Bill Time for teaching – teachers’ work with support, special support and action programmes (Govt Bill 2013/14:160).

<sup>77</sup> Chapter 3, Section 2 of the Education Act, Government Bill Certain Education Act issues (Govt Bill 2013/14:148).

training.<sup>78</sup> The Government has also carried out initiatives for the special needs training education within the framework of the Boost for Teachers II.<sup>79</sup> In addition, the Government in 2018 introduced new examination targets for the various special educational needs teacher degrees.<sup>80</sup> According to the new targets, students on the programme should have knowledge of neuropsychiatric difficulties, and should be able to apply this knowledge in different learning environments.

202. In July 2019 a guarantee for early interventions in preschool classes<sup>81</sup> and primary education was introduced.<sup>82</sup> The Swedish National Agency for Education and the National Agency for Special Needs Education and Schools have been tasked with carrying out skills improvement initiatives and providing support ahead of implementation.<sup>83</sup>

203. In July 2018 a new provision was added to the Education Act on transferring relevant information about the pupil when moving between and within school forms.<sup>84</sup>

### **Reply to paragraph 17 (b) of the list of issues prior to reporting**

204. The Education Act (2010:800) does not have any provisions denying pupils with disabilities a place in the Swedish school system. The main principle of the Act is that a pupil in a preschool class, compulsory school or compulsory school for children with learning disabilities should be placed at the municipality's school unit that the pupil's guardian wishes the pupil to attend. Deviations from the main rule are possible if, for example, the desired placement would involve significant organisational or financial difficulties for the municipality, but in such a case the pupil will be given another place.<sup>85</sup>

205. In a preschool class, compulsory school or compulsory school for children with learning disabilities,<sup>86</sup> a decision on a placement at a school unit other than the one requested can be appealed to The Board of Appeal for Education.<sup>87</sup>

206. The Education Act states that every independent preschool class, compulsory school, compulsory school for children with learning disabilities and upper secondary school for individuals with learning disabilities<sup>88</sup> must be open to all pupils who have a right to that school form.<sup>89</sup> When it comes to independent schools, the municipality where the pupil reside shall provide a grant to the education provider for an independent school for every pupil at the school unit. This grant consists of a basic amount and, in certain cases, an additional amount. The additional amount shall be paid for pupils who have an extensive need for special support, and shall be determined individually based on the pupil's needs. However, the municipality where the pupil reside is not obliged to pay an additional amount for a pupil who needs special support if significant organisational or financial difficulties arise for the municipality. In such cases, the independent school is not obliged to take or provide

<sup>78</sup> Ordinance (2016:400) on government grants for recruitments within school health services and in special needs education, and for further training in these fields.

<sup>79</sup> U2018/00504/S on continued responsibility for the implementation of the Boost for Teachers II.

<sup>80</sup> Ordinance (2017:1111) on amendments to the Higher Education Ordinance (1993:100).

<sup>81</sup> See section 4 b for a description of school forms.

<sup>82</sup> Government Bill Read, write, count – a guarantee for early interventions (Govt Bill 2017/18:195).

<sup>83</sup> U2018/02959/S 'Kompetensutvecklings- och implementeringsinsatser avseende en garanti för tidiga stödsatser' ('Knowledge development and implementation initiatives regarding a guarantee for early interventions').

<sup>84</sup> Chapter 3, Section 12 of the Education Act (2010:800), Government Bill Upper secondary education for all (Govt Bill 2017/18:183 p. 61).

<sup>85</sup> Chapter 9, Section 15. Chapter 10, Section 30 and Chapter 11, Section 29 of the Education Act (2010:800).

<sup>86</sup> See section 4 b for a description of school forms.

<sup>87</sup> Chapter 28, Section 12, paragraph 1, point 6 of the Education Act (2010:800).

<sup>88</sup> See section 4 b for a description of school forms.

<sup>89</sup> Chapter 9, Section 12, Chapter 10, Section 35, Chapter 11, Section 34, and Chapter 18, Section 34 of the Education Act (2010:800).

continued education for the pupil. The municipality where the pupil reside is then responsible for education being arranged for the pupil in some other way.<sup>90</sup>

207. The education provider for an independent school cannot, however, refer to organisational or financial difficulties in order not to take a pupil who needs special support if the municipality where the pupil reside pays a grant for the special support.<sup>91</sup> There are also similar provisions on basic amounts and additional amounts for education at independent upper secondary schools for individuals with learning disabilities and education on national programme at an independent upper secondary school.<sup>92</sup>

208. In July 2014 a provision<sup>93</sup> was added to the Education Act whereby the municipality must allocate resources for education within the school system according to children's and pupils' various circumstances and needs. It was clarified in July 2016 that the additional amount that independent schools receive for pupils with extensive needs for special support and that is paid by the municipality where the child or pupil reside, shall be determined individually based on the child's or the pupil's needs.<sup>94</sup>

209. The Government has also appointed a special investigator who will analyse and propose measures to reduce school segregation and improve the distribution of resources to preschool classes and compulsory school.<sup>95</sup>

### **Reply to paragraph 17 (c) of the list of issues prior to reporting**

210. It is not possible to report statistics based on disability for preschool classes, compulsory school, upper secondary school<sup>96</sup> and municipal adult education.<sup>97</sup> The Swedish National Agency for Education is the government agency responsible for the official statistics within the school system, certain special education forms and other pedagogical operations.

211. Since January 2019 the Government has given the Swedish National Agency for Education the opportunity to process sensitive personal data regarding the health of pupils in compulsory school for children with learning disabilities, special school and upper secondary school for individuals with learning disabilities and adults in special education for adults in order to prepare statistics. Statistics Sweden has also been given the opportunity to process sensitive personal data relating to individuals' health in order to prepare official folk high school statistics.<sup>98</sup>

212. More boys than girls attend compulsory school for children with learning disabilities. In the 2017/18 academic year 10 612 pupils attended compulsory school for children with learning disabilities, of whom 4 050 were girls and 6 562 were boys. In the 2017/2018 academic year 6 072 pupils attended upper secondary school for individuals with learning disabilities, of whom 2 446 were girls and 3 626 were boys. During the same academic year 3 605 students attended special education for adults (Särvux), of whom 1 784 were women and 1 821 were men. A total of 650 pupils attended special school that same year, of whom 260 were girls and 390 were boys.

<sup>90</sup> Chapter 9, Sections 17, 19 and 21, Chapter 10, Sections 35, 37 and 39, and Chapter 11, Sections 34, 36 and 38 of the Education Act (2010:800).

<sup>91</sup> Govt Bill 2009/10:165 The new Education Act – for knowledge, freedom of choice and security, pp. 744, 788.

<sup>92</sup> Chapter 15, Section 33, Chapter 16, Sections 52 and 54, Chapter 18, Section 34, and Chapter 19, Sections 45 and 47 of the Education Act (2010:800).

<sup>93</sup> Chapter 2, Section 8 b of the Education Act (2010:800).

<sup>94</sup> Chapter 8, Section 23, Chapter 9, Section 21, Chapter 10, Section 39, Chapter 11, Section 38, Chapter 16, Section 54, and Chapter 19, Section 47 of the Education Act (2010:800).

<sup>95</sup> See section 4 b for a description of school forms.

<sup>96</sup> See section 4 b for a description of school forms.

<sup>97</sup> Municipal adult education at basic level aims to provide adults with the knowledge they need in order to participate in society and working life. It also aims to make further studies possible. Municipal adult education at upper secondary level aims to provide adults with knowledge at a level that corresponds to upper secondary school education.

<sup>98</sup> Appendix to the Ordinance (2001:100) on Official Statistics.

213. Young people with disabilities are overrepresented within the group who are neither working nor studying. Among young women and men (aged 16 to 29) with disabilities, 12 per cent are neither working nor studying compared with 7 per cent of the rest of the population. There are no significant gender differences for any of the groups.

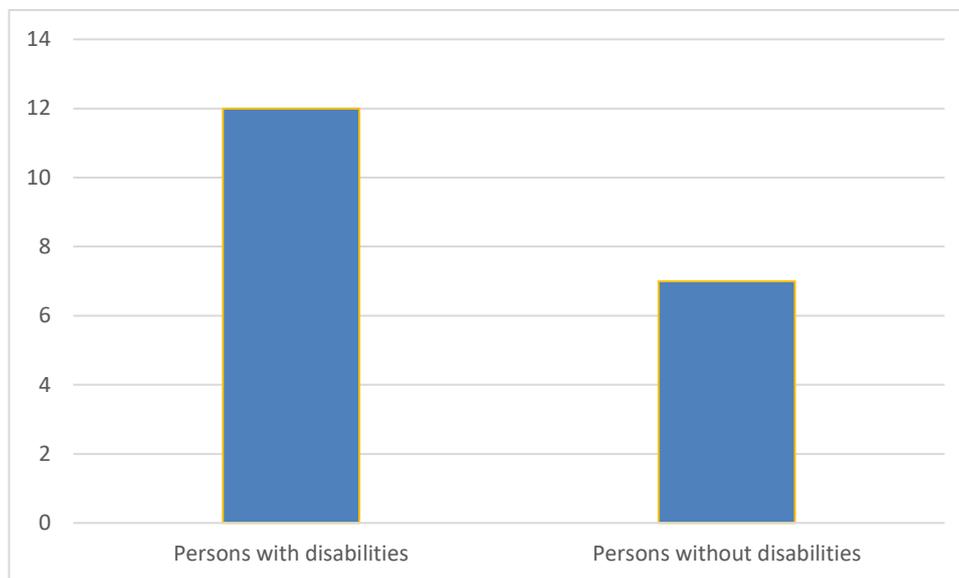


Diagram. Percentage (%) who are neither working nor studying, among persons with disabilities and the rest of the population, 16-29 year, 2016/17. Source: SCB Undersökningen om levnadsförhållanden (ULF/SILC) 2016/17.

### **Reply to paragraph 18 (a) of the list of issues prior to reporting**

214. There is no overall information about access to psychiatric care at national level or disaggregated by municipality.

### **Reply to paragraph 18 (b) of the list of issues prior to reporting**

215. No measures have been carried out with the aim of promoting access to healthcare specifically for women and girls with disabilities. However, the Government has decided on measures to improve maternity care and to strengthen women's health in general. These measures are general in nature, and as such are not specifically directed at women and girls with disabilities. Within the framework of this, the Government has entered into several agreements with the Swedish Association of Local Authorities and Regions relating to improved maternity care and women's health. One common feature is to improve care based on women's specific needs, which also includes improving care for women with disabilities. The applicable agreement states that measures promoting sexual and reproductive health in general, but particularly in socioeconomically deprived areas, should be prioritised.

216. See also the response to question 3 c on the Public Health Agency of Sweden's remit.

### **Reply to paragraph 19 (a) of the list of issues prior to reporting**

217. There is no combined information at national level about suicide rates among persons with disabilities disaggregated by age, gender and disability. However, suicide rates have generally fallen by around 20 per cent during the last 15 years, but the positive trend does not apply to young people and young adults, where the number of suicides has remained at the same level for a long time.

218. Nevertheless, the Public Health Agency of Sweden's national public health survey for 2016 and 2018 reveals the differences between persons with disabilities and the rest of the population in terms of suicidal thoughts and suicide attempts. The number of people who

have had suicidal thoughts or attempted suicide is considerably higher among persons with disabilities than among the rest of the population. Twenty-five per cent of persons with disabilities have had suicidal thoughts at some point. The corresponding figure for the rest of the population is 9 per cent. There is no gender difference in the 16-84 age range.

219. The Government has set a goal that no one should need to take their own life. In order to achieve this, suicide prevention measures are needed at both individual and population levels. The Government has tasked the Public Health Agency of Sweden with coordinating suicide prevention work at national level.<sup>99</sup>

### **Reply to paragraph 19 (b) of the list of issues prior to reporting**

220. The Government has tasked the Public Health Agency of Sweden with building up, developing and coordinating the national work aiming to promote good mental health and prevent mental ill-health throughout the entire population. Children and young people are highlighted within the strategy as a particularly important target group for preventive and promotional work.

221. The Government has also carried out several specific initiatives to counter mental ill-health among children and young people. See also response under 4 b.

222. The Government has spent SEK 200 million annually from 2016 onwards on continued initiatives to strengthen and develop student health. The Swedish National Agency for Education has also been tasked with working to improve the preventive and promotional work within student health.

223. The Government allocates funding to voluntary organisations working within the field of mental health through remits to the Public Health Agency of Sweden and the National Board of Health and Welfare. Information about this is reported under question 4 b.

224. The Children's Ombudsman systematically reviews how well children's and young people's human rights are respected.

### **Reply to paragraph 20 (a) of the list of issues prior to reporting**

225. Persons with disabilities involving reduced working capacity continue to be unemployed to a greater extent than the rest of the population. At the same time, there has been an increase in the number of persons with disabilities registered with the Swedish Public Employment Service. The proportion of transitions to work has improved, and a larger proportion of those who left their employment with salary contributions continue to other employment. Compared to the previous year, however, fewer people have received salary contributions or public protected work via the Swedish Public Employment Service, while at the same time the funding for this purpose has not been used. Nevertheless, it should be observed that the number of registered unemployed persons with disabilities involving reduced working capacity has also fallen, and in relation to the number of unemployed people a growing proportion receive a wage subsidy. The overall trend is deemed to be positive, but the need for more persons with disabilities to get into work remains considerable.

226. Samhall's operations have grown. More persons with disabilities have received employment within the company, and more have transitioned to other employers. A large proportion of those who have been employed are from prioritised groups who are particularly far from the labour market.

227. See also the response to questions 20 c-f.

<sup>99</sup> S2015/3986/FS

### **Reply to paragraph 20 (b) of the list of issues prior to reporting**

228. This data is taken from Statistics Sweden's report *The labour market situation for persons with disabilities 2018*.<sup>100</sup>

229. Of the population aged 16–64, 85 per cent were part of the workforce in 2018. The corresponding figures were 71 per cent for persons with disabilities and 87 per cent for persons without disabilities. Among persons with disabilities and reduced working capacity the proportion was approximately 69 per cent, and approximately 78 per cent among persons with disabilities without reduced working capacity.

230. According to Statistics Sweden's investigation of the labour market situation for persons with disabilities in 2018, 12 per cent of those aged 16–64 stated that they had a disability. This corresponds to approximately 752 000 people, around half of whom were women and half were men.<sup>101</sup> Sixty-seven per cent of these individuals were of the opinion that their disability also resulted in reduced working capacity, corresponding to just over 507 000 people of whom 55 per cent were women and 45 per cent were men. Approximately 33 per cent (244 000 individuals) were of the opinion that their disability did not result in reduced working capacity. Of these, 42 per cent were women and 58 per cent were men.

231. Persons with disabilities that involve reduced working capacity are generally involved in the workforce to a lower degree, have higher levels of unemployment and have a significantly lower degree of employment than among the population on average.

232. The degree of employment among the population aged 16–64 was 82 per cent in 2018. Among persons with disabilities overall, the corresponding figure was 64 per cent. The proportions were 60 per cent for those with reduced working capacity and 70 per cent among persons with disabilities without reduced working capacity.

233. Compared with 2013, the degree of employment has increased among the population, from 76 per cent to 80 per cent. During the corresponding period the degree of employment among persons with disabilities has been around 62 per cent. A small increase was noted during 2018, but this is not statistically proven. A similar pattern can be observed for persons with reduced working capacity, for whom the proportion appears to have risen somewhat in the last year to 60 per cent, but the difference is not statistically proven.

234. Generally speaking, persons with disabilities work in the same professions as the population as a whole, but the proportion in management roles is lower.

### **Reply to paragraph 20 (c) and (d) of the list of issues prior to reporting**

235. The Government has introduced several initiatives to make it easier for persons with disabilities to find and keep a job, such as:

- Gradually raising the ceiling for the grant-based salary costs for subsidised employment and raising the ceiling level for remuneration for persons in need of interpreting support in further training;
- Increased funding for samhällsarbete;
- Reviewing the regulations for subsidised employment;
- Work experience places with government agencies;
- Information campaigns to encourage employers to focus on people skills and abilities rather than barriers and disabilities, and
- A review of regulations for specific initiatives for persons with disabilities.

<sup>100</sup> Statistics Sweden, 'Situationen på arbetsmarknaden för personer med funktionsnedsättning 2018' ('The labour market situation for persons with disabilities in 2018'), [www.scb.se/am0503](http://www.scb.se/am0503).

<sup>101</sup> A considerable amount of data is missing from the survey, and the estimated figures in the statistics are therefore uncertain.

236. The Government has carried out a number of reforms aiming to improve the opportunities for women and men with disabilities to find and keep jobs. In Sweden women and men with disabilities have access to the Swedish Public Employment Service's full offering of labour market policy initiatives. However, there are also initiatives that have been specially designed for women and men with disabilities. These relate primarily to subsidised employment.

237. The Discrimination Act contains requirements to work with so-called active measures. This means that employers and training providers should work in a preventive and promotional manner to counter discrimination and work for equal rights, regardless of the protected grounds in the Discrimination Act. The provisions were changed on 1 January 2017 to cover all grounds in the Discrimination Act, i.e. gender, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation and age. Employers also have an obligation to work with pay surveys in order to discover, remedy and prevent unfair terms of employment.

### **Reply to paragraph 20 (e) of the list of issues prior to reporting**

238. Reduced working capacity can often be compensated for via different types of support and adaptations at work. The Swedish Public Employment Service therefore offers grants for aids in the workplace, grants for personal assistance, interpreters for persons with visual or hearing impairments and special support when starting a businesses as an alternative or in addition to subsidised employment. The Swedish Public Employment Service can also offer support via a consultant for support at a new workplace. The consultant helps during a workplace induction. The consultant works together with the workplace to design the induction, and is responsible for the individual receiving the necessary support.

### **Reply to paragraph 20 (f) of the list of issues prior to reporting**

239. In 2018 the Swedish Public Employment Service was tasked with investigating whether the term 'reduced working capacity' affects those to whom it refers, and if so how. The remit was reported on in November 2018. The Swedish Public Employment Service is of the assessment that new linguistic usage is needed, proposing that the term 'reduced working capacity' as currently used within labour market policy should be abolished but chooses not to propose a replacement term, due to the difficulty to identify a single term to describe the often shifting and complex circumstances and needs for initiatives that may exist due to a disability. Instead, linguistic usage needs to vary in order to describe what is actually being referred to in each individual situation. This issue is been further investigated within the Government Offices.

### **Reply to paragraph 21 (a) of the list of issues prior to reporting**

240. Regarding the guarantee amount, there is no complete information about how well it covers the individual's costs. For persons with sickness and activity compensation who receive the guarantee benefit, however, the data suggests that the proportion with a low economic standard is comparatively high. In order to get a complete picture of the current economic situation of guarantee amount recipients, however, other benefits such as housing supplement, disability allowance or additional cost allowance that can be combined with the guarantee benefit also need to be taken into account.

### **Reply to paragraph 21 (b) of the list of issues prior to reporting**

241. The policy pursued during the period 2014–2018 has led to stronger financial margins for households in weak economic situations and has increased the tax levy from households in stronger economic situations. These initiatives have involved raising housing supplement and lowering tax for pensioners, raising unemployment insurance payments, raising the level of sickness benefit, raising sickness and activity compensation, raising the income limit

within housing allowance, raising child benefit, raising the child portion of income support and raising maintenance support. These initiatives have been funded by measures including various tax increases that have mainly affected those with relatively high income levels.

### **Reply to paragraph 21 (c) of the list of issues prior to reporting**

242. Persons with disabilities who have reduced working capacity may have sickness or activity compensation as a form of income. Sickness and activity compensation in the form of guarantee benefit has been increased in two stages during 2014–2018 by a total of 0.13 price base amounts<sup>102</sup>, corresponding to just over SEK 6 000 per year. Income-related compensation has risen from 64% to 64.7% of assumed income<sup>103</sup>. Tax has been reduced for those with sickness and activity compensation with effect from 1 January 2018. Those who receive sickness or activity compensation and have housing costs may be entitled to housing supplement. The housing supplement and the special housing supplement have been raised with effect from 1 January 2018 by increasing the ceiling for eligible housing costs from SEK 5 000 to SEK 5 600 per month and raising the proportion of eligible housing costs below SEK 5 000. In addition, the reasonable cost standard of living was raised within the special housing supplement.

243. Tax for pensioners has been reduced for those pensioners with pension income between SEK 10 000 and SEK 35 000 per month. Pensioners with a total pension of around SEK 17 000 per month will experience the greatest effect. This may be of significance for persons with disabilities as some of this group may have received sickness and activity compensation for longer periods of time.

### **Reply to paragraph 22 (a) and (b) of the list of issues prior to reporting**

244. Following a decision on changes to the Elections Act (2005:837),<sup>104</sup> the previous opportunity for municipalities to use premises that do not meet accessibility requirements for persons with disabilities was abolished in January 2014. Polling stations and voting premises must be accessible to all.

245. In connection with this change in legislation, the Swedish Agency for Participation drew up a checklist for the municipalities' work. This checklist was updated before the 2018 general election.

246. It has been clarified in the Elections Act<sup>105</sup> that a voter that is unable to arrange their own voting may engage not only voting officials but also some other person to assist with voting.<sup>106</sup> It has also been decided that only individuals who have received such training as is required for the role can be appointed as proxies.<sup>107</sup> These changes came into force in January 2015.

247. To make things easier for voters who have difficulties reading and to reduce the risk of confusion, the political parties use their party symbols on the ballot papers.<sup>108</sup> This change came into force in January 2015.

<sup>102</sup> The price base amount reflects the price trend in society and is used for a variety of calculations: taxation, pension and insurance benefits, and membership and service fees. The price base amount is adjusted annually with reference to the consumer price index.

<sup>103</sup> Assumed income means expected income based on historical income.

<sup>104</sup> The Elections Act (2005:837) via the Government Bill Accessibility and participation in elections (Govt Bill 2013/14:37, Report 2013/14:KU9, Riksdag Comm. 2013/14:124).

<sup>105</sup> See the Government Bill Increased efficiency, security and accessibility in election procedures (Govt Bill 2013/14: 124, Report 2013/14:KU31, Riksdag Comm. 2013/14: (231)

<sup>106</sup> Chapter 7, Section 3 of the Elections Act.

<sup>107</sup> Chapter 3, Section 5 of the Elections Act. This was decided the Government Bill Increased efficiency, security and accessibility in election procedures (Govt Bill 2013/14:124, Report 2013/14:KU31, Riksdag Comm. 2013/14:231).

<sup>108</sup> These legislative changes were made via the Government Bill Proportional allocation of mandate and prior registration (Govt Bill 2013/14:48).

248. To further strengthen the secrecy of the ballot, amendments were made to the Elections Act on 1 January 2019 involving a requirement that the place in a polling station where ballot papers are set out should be screened off from the sight of other voters. The opportunity was introduced for a voter to write a name notified by the party on a blank ballot paper. This change can make it easier for voters with visual impairments, for example to cast a preferential vote.<sup>109</sup>

249. In order to promote a high and more equal level of voter participation between different groups of eligible voters, the Swedish Agency for Accessible Media has been tasked with operating the website All voters.<sup>110</sup> Before the 2018 general election, the Government assigned specific funding to the Riksdag parties for information campaigns to promote a high level of voter participation.<sup>111</sup> This funding made it easier for the parties to reach out to voters, particularly to groups of eligible voters with low levels of participation in previous elections, including persons with disabilities.

### **Reply to paragraph 22 (c) and (d) of the list of issues prior to reporting**

250. Municipalities, county councils and the Riksdag are responsible for persons with disabilities who are elected to the relevant assemblies receiving the support they need to carry out their duties.

251. No specific measures have been taken to ensure that persons with disabilities who stand as candidates for public office receive information in an accessible format.

252. The reason for this is the principle of responsibility and financing, which is fundamental within Swedish disability policy and means that every sector of society shall have a responsibility for designing and running its operations so that they are available to all citizens, including persons with disabilities.

253. Chapter 1, Section 2, paragraph 5 of the Instrument of Government also states that society shall work to ensure that all people can achieve participation and equality in society, and that children's rights are protected. Society shall combat discrimination against people on the grounds of gender, skin colour, national or ethnic origin, linguistic or religious affiliation, disability, sexual orientation, age or any other circumstance that applies to the individual as a person.

### **Reply to paragraph 23 of the list of issues prior to reporting**

254. See the response to question 1 d regarding the new national goal for disability policy, which is based on the Convention.

255. The Government has appointed the Swedish Arts Council and the Swedish National Heritage Board as strategic agencies within the field of culture. During the period 2011–2016, these agencies worked in particular with achieving specific subsidiary goals linked to the Government's strategy for disability policy. There has been regular formal consultation with the disability movement on the work involving accessibility.

256. The Swedish Arts Council has been tasked with driving through developments so that persons with disabilities can participate in cultural activities on equal terms with others.

257. Sweden has implemented the Marrakesh treaty through legislative changes to the Swedish Act on Copyright in Literary and Artistic Works. These changes came into force on 11 October 2018.

<sup>109</sup> Govt Bill 2017/18:286 Strengthened protection for ballot secrecy.

<sup>110</sup> 'Alla väljare' ('All voters'), [www.allavaljare.se](http://www.allavaljare.se).

<sup>111</sup> Ku2018/01280/D.

**Reply to paragraph 24 (a) of the list of issues prior to reporting**

258. Monitoring actors such as government agencies, municipalities and county councils is governed to some extent by law. Sweden has official statistics which are governed by law.<sup>112</sup>

259. Government agencies that do not have official responsibility for statistics can gather information from municipalities and county councils on a voluntary basis. However, it is not possible for government agencies to require responses from municipalities and county councils without legal support. Nevertheless, there is nothing to prevent government agencies without formal responsibility for statistics from sending out surveys, for instance, to municipalities and county councils and collecting information through voluntary participation.

260. The Swedish Agency for Participation works to monitor the implementation of disability policy. However, the Agency does not have official responsibility for statistics. The Agency currently sends out surveys to municipalities and county councils once a year. This monitoring should be regarded as voluntary.

261. The Agency have developed a digital tool that will replace the survey format. The tool was ready for use by government actors in spring 2019, and another version will be released at the end of the year for use by municipal and regional actors.

**Reply to paragraph 24 (b) of the list of issues prior to reporting**

262. Developing tools for monitoring based on a rights perspective is an ongoing process. One starting point for this is access to statistics and data, which the Government has worked to strengthen. It is also important that there are opportunities to monitor the implementation of disability policy at different levels and within different sectors of society. There is a need to be able to monitor 1) which structures are in place, 2) the actual prevailing conditions and active ongoing measures, and 3) the results that this work leads to. This approach is based on a model from OHCHR on applying a rights perspective to monitoring.

263. The Swedish Agency for Participation works with several tools for collecting knowledge and information of significance from a rights perspective. The Agency compiles and analyses individual statistics that are gathered from other actors regarding living conditions for persons with disabilities. The selection of data is based on what is most relevant from a rights perspective.

264. The Agency has also developed ‘actor monitoring’ which follows government agencies’ work to implement disability policy<sup>113</sup> and the work carried out by municipalities and county councils. The aim is to follow the development of ongoing work and to identify prevailing conditions for and barriers to participation in society from a rights perspective.

265. The Agency obtains responses to questions from its survey panel (Rivkraft) on an ongoing basis, as a supplementary source of knowledge about living conditions. The questions take the Convention as their starting point. The Agency also carries out various forms of in-depth studies and qualitative studies.

266. See also the response to question 1 b on the Management Inquiry.

**Reply to paragraph 24 (c) of the list of issues prior to reporting**

267. The Government has taken action to ensure access to statistics and to strengthen the opportunity to monitor the development of the situation for persons with disabilities within the framework of implementing disability policy.

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<sup>112</sup> The Official Statistics Act (2001:99).

<sup>113</sup> In accordance with Ordinance 2001:526 on the government agencies’ responsibility for the implementation of disability policy.

268. During the disability policy strategy period 2011–2016, Statistics Sweden was tasked by the Government with reporting and proposing the development of data on living conditions for persons with disabilities.<sup>114</sup> This survey captures details of living conditions for persons with disabilities regarding housing, finances, health, leisure, civic activities, social relationships, employment and working environment, security and safety. Statistics Sweden was subsequently also tasked with reporting data during 2018, and as far as possible to report details disaggregated by age, gender and type of disability. Ahead of 2020, the Government has once again tasked Statistics Sweden with reporting statistics on living conditions for persons with disabilities that is broken down as far as possible by age, gender and type of disability.

269. In addition, Statistics Sweden has been tasked with carrying out mapping and analysis work to produce an overall report of the agency's assessment of those areas needing development in terms of statistics for persons with disabilities. The remit shall be carried out in dialogue with central government agencies and the disability organisations.

270. Other government agencies with responsibility for official statistics, such as the Swedish Public Employment Service, the Public Health Agency of Sweden and the National Board of Health and Welfare, contribute statistics on living conditions for persons with disabilities within various areas. All individual-based official statistics and all statistics reported by government agencies in their annual report shall be divided up by gender.

271. The opportunities for compiling statistics within education have also been strengthened – see the response to question 18 c.

#### **Reply to paragraph 24 (d) of the list of issues prior to reporting**

272. For measures taken for systematically collecting data, see questions 24 b-c.

273. Regarding knowledge about the Sami indigenous group, the Nordic Welfare Centre has received funding from the Government to investigate the conditions for Sami with disabilities in the 19 municipalities included in the Sami administrative area in Sweden.

274. Each year the Government reports overall developments within disability policy to the Riksdag in the Government's Budget Bill, taking the national goal decided on by the Riksdag as its starting point.

275. Each year, The Swedish Agency for Participation reports developments within the disability policy in order to provide an overall and combined picture of the situation. The report is disseminated to the Government, government agencies, other actors and the public. It is also used by the disability organisations, among others. Another important part of effective monitoring of living conditions for persons with disabilities involves actors within every sector of society analysing and drawing conclusions from the knowledge they gather from a disability perspective.

276. The Agency works actively to disseminate knowledge about disability policy and publishes information on its website. It also participates and disseminates knowledge within many other contexts in order to reach out with its message. The target group consists mainly of government agencies, municipalities and county councils.

#### **Reply to paragraph 24 (e) of the list of issues prior to reporting**

277. Statistics are primarily compiled by government agencies with official responsibility for statistics, which should consult with the organisations representing persons with disabilities on the basis of the Convention. The Swedish Agency for Participation monitors which government agencies currently consult with the disability organisations. The Agency's own knowledge development work is carried out in consultation with the organisations

<sup>114</sup> Ref. S2012/2210/FST Commission to report and propose the development of data on living conditions for persons with disabilities

representing persons with disabilities. The Agency's knowledge acquisition also includes qualitative methods for capturing the perspectives and knowledge of persons with disabilities.

278. See also the response to question 1 g.

### **Reply to paragraph 25 (a) of the list of issues prior to reporting**

279. Sweden has taken measures to ensure that a rights-based disability perspective is integrated into the work with the 2030 Agenda. For example, efforts have been made to strengthen the social dimension of implementation – both nationally and globally – with an emphasis on human rights and that no one should be excluded.

280. Sweden has drawn up a national action plan for the Agenda's implementation during the period 2018–2020. This action plan refers to the disability policy and the new national goal based on the Convention.

281. The targets that have been agreed within the framework of the Agenda are an important aspect of the disability policy work. The Government Bill for a new target and direction of disability policy<sup>115</sup> specifically highlights the 2030 Agenda in relation to human rights and persons with disabilities.

282. Statistics Sweden has been tasked by the Government with analysing how Sweden complies with the 2030 Agenda, and has drawn up proposals for statistics-based monitoring with indicators for Sweden's implementation of the Agenda. This includes statistics broken down by persons with disabilities.

283. In addition, many government agencies have been asked to contribute data for Sweden's implementation of the 2030 Agenda, including the Swedish Agency for Participation.

284. Between 2015 and 2018 the Swedish Agency for Participation was part of a UN reference group working on how to include the disability perspective within the 2030 Agenda. The Swedish Agency for Participation is also part of the 2030 Agenda's collaboration forum, which was established in 2016. Since 2018 the Agency has also been part of the Council for Sustainable Cities. The Agency contributes by highlighting universal design.

### **Reply to paragraph 25 (b) of the list of issues prior to reporting**

285. There is a specific policy framework for Swedish development cooperation and humanitarian aid that governs Swedish development cooperation and humanitarian aid.<sup>116</sup> This policy framework is concretised in the appropriation letter and strategies which govern the work of the Swedish International Development Cooperation Agency (Sida).

286. Sida was tasked in 2018 with working in dialogue with the Swedish Agency for Participation to report on how persons with disabilities are included in the Agency's initiatives and monitoring within international development cooperation. Sida and the Swedish Agency for Participation were also tasked with providing information about how these initiatives contribute towards fulfilling the established 2030 Agenda goals, as well as identifying and proposing development areas for a more effective inclusion of a disability perspective.

287. Sida is a member of the global network Global Action on Disability. Within this network, Sida has worked with disability issues in inclusive education, humanitarian aid and social insurance systems, as well as improved statistics and data.

288. In 2018 the Government produced a handbook for its feminist foreign policy as a resource for international gender equality work.

<sup>115</sup> Govt Bill 2016/17:188 National goal and direction of disability policy.

<sup>116</sup> Government Communication 2016/17:60, 'Policyramverk för svenskt utvecklingssamarbete och humanitär bistånd' ('Policy framework for Swedish development cooperation and humanitarian aid').

289. In March 2019 Sida, together with the Swedish Agency for Participation and the organisation MyRight held a major knowledge-boosting forum, Development Talks, on the theme of rights and persons with disabilities.

290. Within the framework of Nordic Plus – a group of like-minded nations discussing prioritised development issues – there was substantial discussion during Sweden’s 2018 presidency with the aim of sharing experiences of how disability is included in development cooperation.

### **Reply to paragraph 26 (a) of the list of issues prior to reporting**

291. The Equality Ombudsman has been tasked with working to ensure that discrimination relating to grounds such as disability does not occur within any area of society. The Ombudsman shall contribute, by providing advice and via other means towards those who encounter discrimination, to exercise their rights. Within its area of operations, the Ombudsman shall inform, educate, confer and have other contact with government agencies, businesses, individuals and organisations. The Ombudsman’s website shall also provide support to various actors in order to promote equal rights and counter discrimination.

292. See also the response to question 5 b on the Equality Ombudsman’s communication initiative.

### **Reply to paragraph 26 (b) of the list of issues prior to reporting**

293. In March 2018 the Government appointed an inquiry to investigate and submit proposals on establishing a national human rights institution in Sweden. According to the assignment description, the investigator should submit proposals for designing a human rights institution in order to comply with the Paris Principles. The investigator should also investigate and submit proposals for how a human rights institution could be the mechanism required in order to promote, protect and monitor the Convention’s implementation in accordance with article 33 of the Convention. In October 2018 the investigator submitted proposals for a national human rights institution in Sweden. According to this, the institution should fulfil the tasks incumbent upon an independent national mechanism in accordance with the Convention on the Rights of Persons with Disabilities. These proposals have been circulated for comment.

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