



International
Labour
Office



THE STATE OF APPLICATION OF THE PROVISIONS
FOR SOCIAL SECURITY OF THE INTERNATIONAL
TREATIES ON SOCIAL RIGHTS RATIFIED BY

Sweden

ILO
TECHNICAL
NOTE

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Chapter IV. Concluding observations of the supervisory bodies concerning provisions of the ratified international treaties on social rights and statements of other international bodies reviewing national economic and social policy

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The information and data contained in the Technical Note is taken from the Government reports, on-line databases of the National Statistical office, official web-sites of the government departments, MISSCEO, MISSOC, SSI, ILOSTAT and EUROSTAT.

List of international abbreviations:

CAS	Committee on the Application of Standards, International Labour Conference
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CESCR	Committee on Economic, Social and Cultural Rights
COE	Council of Europe
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ECSR	European Committee of Social Rights
ECSS	European Code of Social Security
ESC	European Social Charter
EU	European Union
EUROSTAT	Statistical Office of the European Union
GC	Governmental Committee of the European Social Charter and European Code of Social Security
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILS	International Labour Standards
IMF	International Monetary Fund
MISSEO	Mutual Information System on Social Protection of the Council of Europe
MISSOC	Mutual Information System on Social Protection
OECD	Organisation for Economic Co-operation and Development
SSI	Social Security Inquiry

National abbreviations:

IAF	Swedish Unemployment Board
SACO	Swedish Confederation of Professional Associations
PES	Swedish Public Employment Service

*CHAPTER I. Adequacy of social security
benefits: income and poverty indicators and
standards*

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Country profile by Eurostat indicators, National indicators and ILO minimum standards

Eurostat	EU-Avg 2013	2005	2012	2013	2014
At-risk-of-poverty threshold (40%, single person)	€ 462.3	€ 583.3	€ 824.0	€ 880.5	€ 904.0
At-risk-of-poverty threshold (50%, single person)	€ 577.8	€ 729.1	€ 1030.0	€ 1100.6	€ 1130.0
At-risk-of-poverty rate - 50%, before social transfers	19.5%	21.2%	20.0%	20.6%	21.3%
At-risk-of-poverty rate - 50%, after social transfers	10.2%	5.0%	7.8%	8.2%	8.5%
At-risk-of-poverty rate for children under 18 y.o. - 50% thrd	12.4%	5.0%	9.2%	9.1%	9.6%
In-work poverty rate - 50% threshold	5.2%	3.3%	3.9%	4.0%	4.7%
At-risk-of-poverty rate for pensioners - 50% threshold	6.0%	3.4%	5.7%	5.9%	4.8%
Aggregate replacement ratio	55%	60%	56%	58%	60%
Severe material deprivation (% of total population)	9.6%	2.3%	1.3%	1.4%	0.7%
Persistent at-risk-of-poverty rate - 50% threshold	5.2%		2.7%	2.4%	
Social protection expenditure as % of GDP	25.0%	31.0%	30.4%	31.1%	
Gini coefficient before social transfers	36.1%	33.3%	32.5%	32.9%	33.4%
Gini coefficient after social transfers	30.5%	23.4%	24.8%	24.9%	25.4%

National indicators

Income assistance	€ 437.0	SEK 3880.0	2013, MISSOC
Minimum pension	€ 1007.8	SEK 7881.0	2014, Swedish Pension Authority
Average wage	€ 3969.7	SEK 30951.2	2013, United Nations Economic Commission for Europe
Average pension	€ 3125.5	SEK 16200.0	2011, Swedish Pension Authority

Government Report under the ECSS submitted in 2015

Standard benefits amounts to be provided in the detailed report 2016.

The Office refers to the Technical Note 2014 :

Reference wage (skilled worker)	<u>Article 65</u> : Type of skilled worker not specified	€ 3649.6	SEK 29212.4	2010
Standard old-age pension	<u>Skilled worker</u>	€ 1593.6	SEK 12756.0	2010
Replacement rate Man with wife of pensionable age	The pension of wife (SEK 6776.7 monthly) is added to the total benefit amount	66.8 %		2010

Fig. 1. Income and poverty - single person, 2013

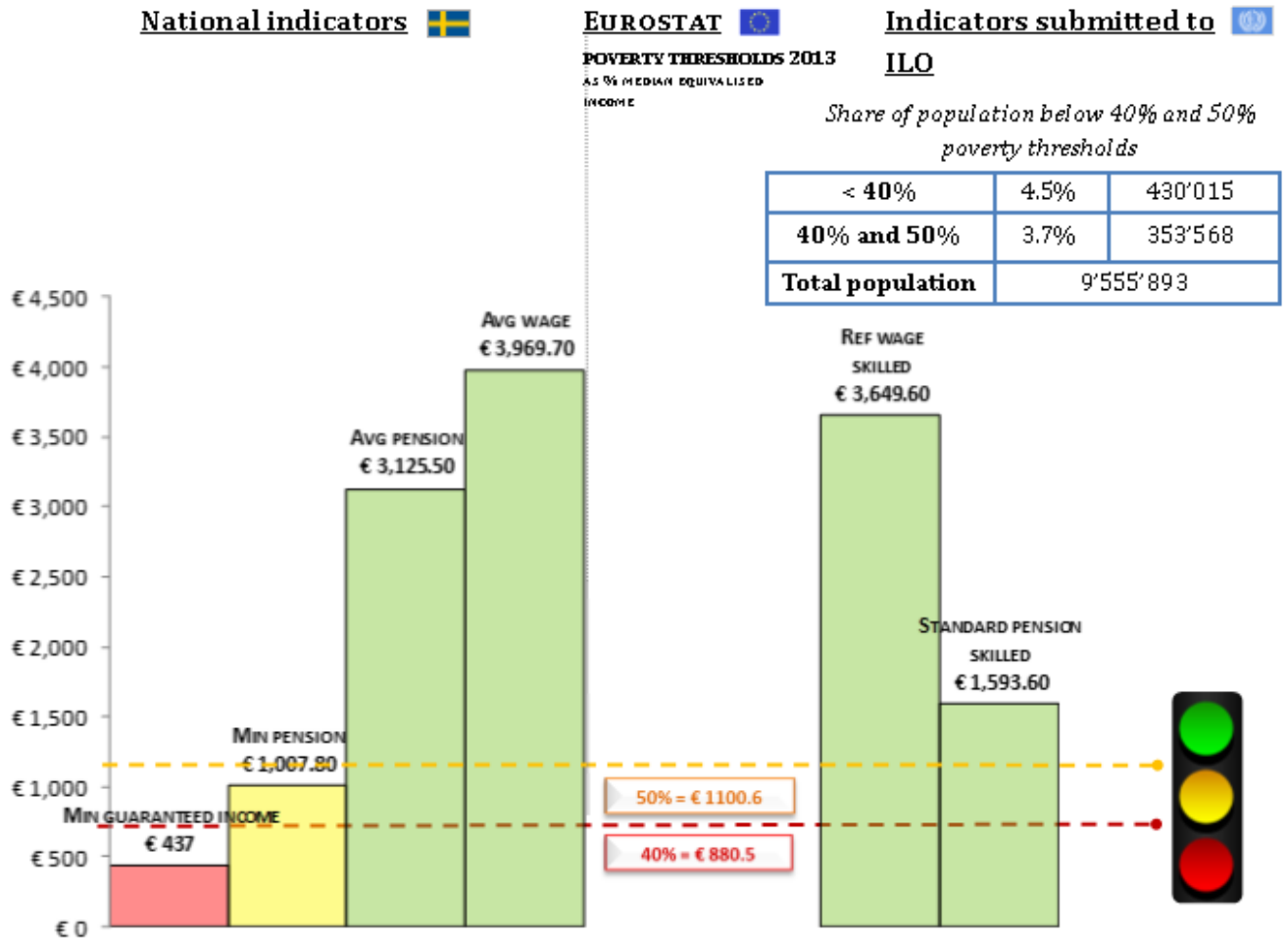


Fig. 2. Structure of population in poverty (Eurostat poverty thresholds of 60%) by the most frequent employment status, 2013

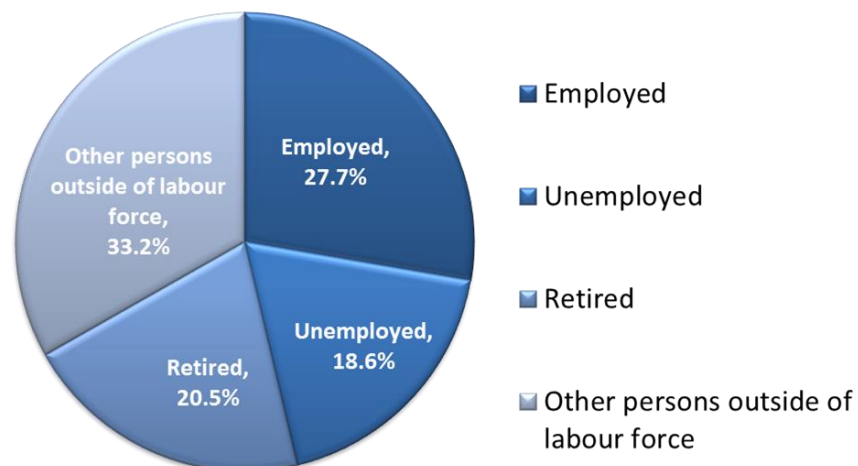
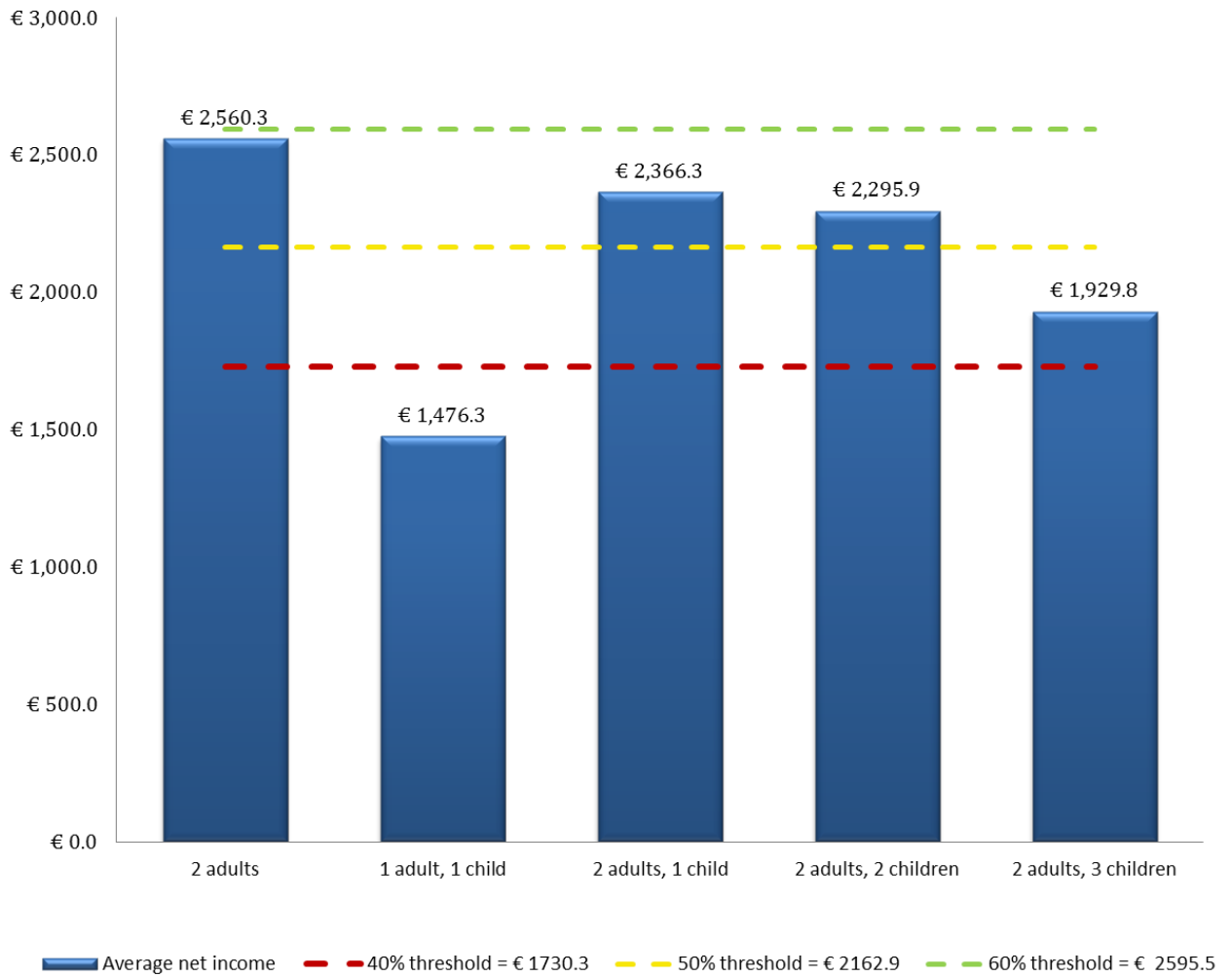


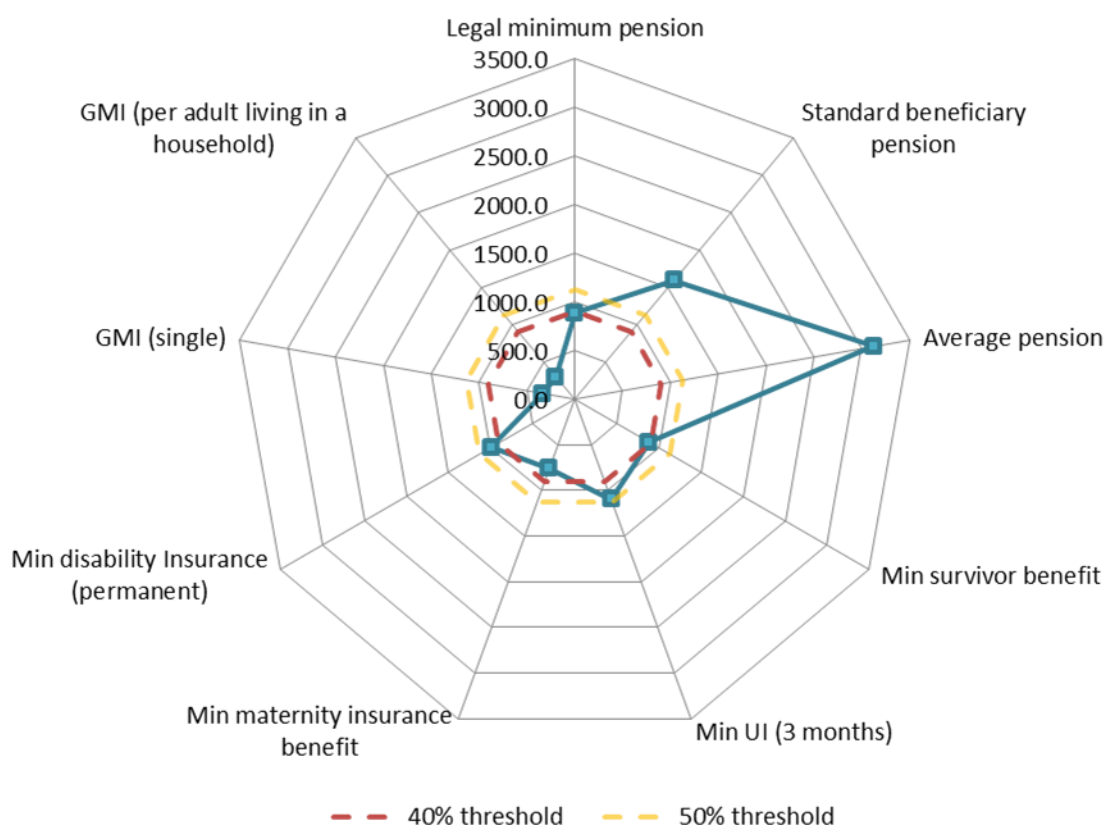
Fig. 3 Income and poverty indicators by type of household, 2012



(at-risk-of-poverty thresholds for the household with 2 adults and 2 children)

Household composition	Average net income	At risk of poverty rate (60% threshold)
2 adults	€ 2560.3	6.7 %
1 adult, 1 child	€ 1476.3	33.3 %
2 adults, 1 child	€ 2366.3	8.2 %
2 adults, 2 children	€ 2295.9	6.6 %
2 adults, 3 children	€ 1929.8	17.1 %

Fig. 4. Social benefits in comparison to Eurostat 40% and 50% poverty, 2014



Benefits/payments	Amount per month	Sources
Minimum wage	-	-
Legal minimum pension	€ 877.2	MISSOC, 2014
Standard beneficiary pension	€ 1593.6	Pension for average case worker, Government Report 2014
Average pension	€ 3125.5	Swedish Pension Authority, 2011
Survivor benefit	€ 887.2	MISSOC, 2014
Unemployment insurance benefit (UI - 3 months)	€ 1095.0	MISSOC, 2014
Maternity insurance benefit	€ 760.4	MISSOC, 2014
Disability Insurance (permanent)	€ 991.0	MISSOC, 2014
GMI (single)	€ 332.0	MISSOC, 2014
GMI (per adult living in a household)	€ 299.5	MISSOC, 2014
At-risk-of-poverty threshold, 40%	€ 904.0	Eurostat, 2014
At-risk-of-poverty threshold, 50%	€ 1130.0	Eurostat, 2014

Fig. 5. Comparison of monthly wages and pensions (40% replacement rate) to the Eurostat thresholds in 2013-2014, by decile

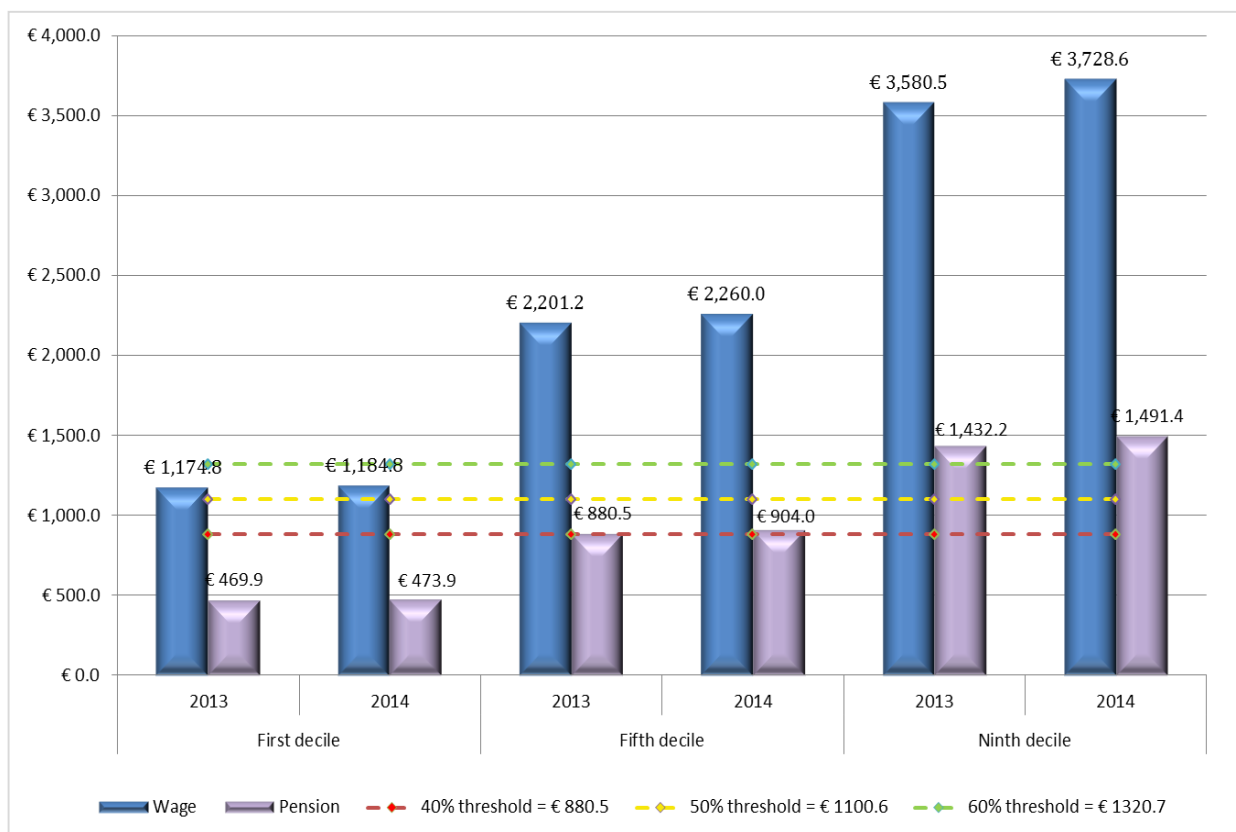


Fig. 6. Test on precarious employment: share of employed population by different job security situation, as % of total employment, 2012

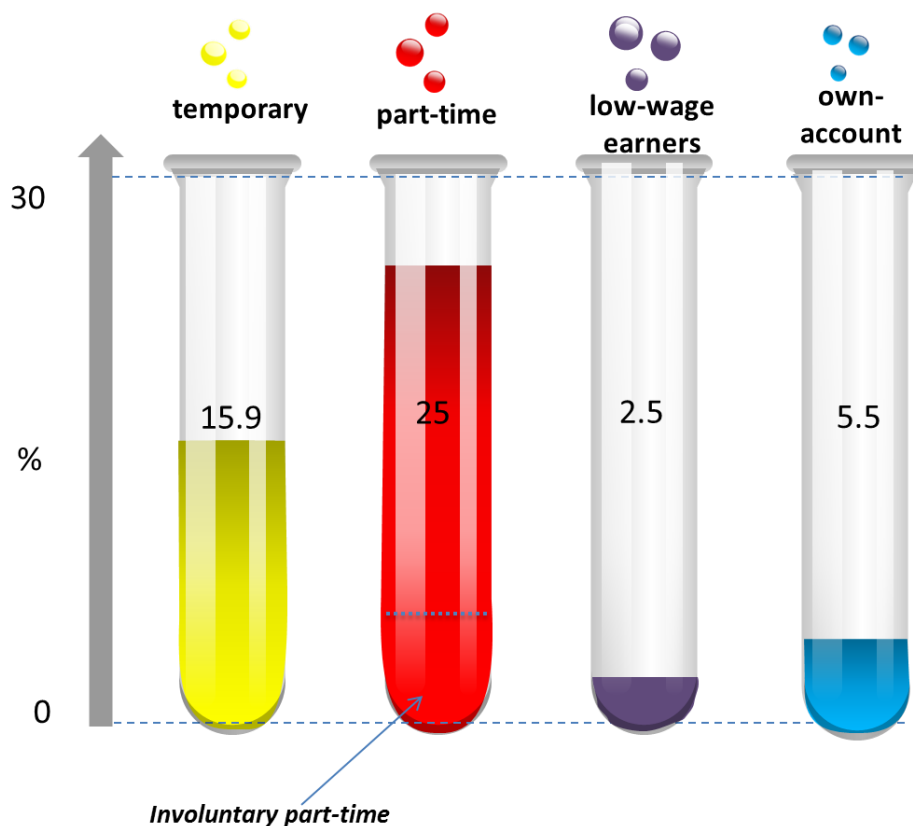
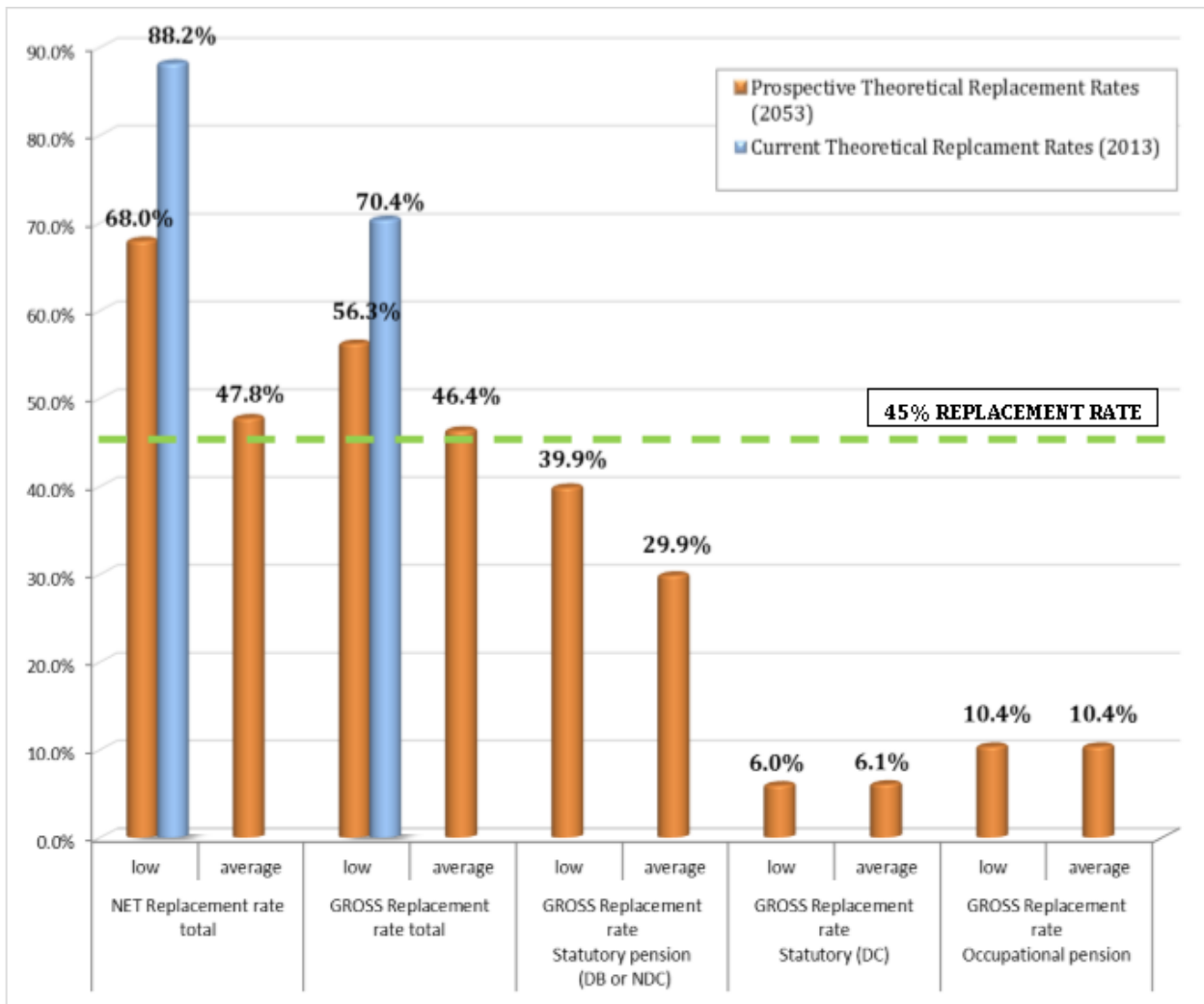


Fig. 7. Theoretical Replacement Rates for low and average wage earners, retiring in 2053 at statutory pension age (67) with 30 years of contributions between 2013 and 2053



Male, 20 years work from age 25 - career break until 10 years prior to SPA - 10 years work. 10 years of career break in the middle of the career

	NET Replacement rate total		GROSS Replacement rate total		GROSS Replacement rate Statutory pension (DB or NDC)		GROSS Replacement rate Statutory (DC)		GROSS Replacement rate Occupational pension	
	low	average	low	average	low	average	low	average	low	average
2053	68.0%	47.8%	56.3%	46.4%	39.9%	29.9%	6.0%	6.1%	10.4%	10.4%
2013	88.2%	-	70.4%	-	-	-	-	-	-	-

Source: *The 2015 Pension Adequacy Report: current and future income adequacy in old age in the EU, Volume I*

Social security and reduction of poverty.

Extracts from the 2015 Government report on the European Code of Social Security.

Through the European Code of Social Security the contracting states have guaranteed workers social protection. The protection is defined by specific regulations concerning minimum levels of benefits, allowances, etc.

The protection of individuals is well defined and so is the responsibility for the contracting states. According to Sweden, the Code contains no general responsibilities concerning the level of protection. It is important that states who consider ratifying the Code knows what kind of responsibility they thereby shoulder.

The Committee of Experts play an important part by supervising that the contracting states' laws and practises continue to give the Code full effect. To enable the Committee to carry out this task the states report changes in their social security annually and every fifth year the contracting states send in a more detailed report on their social security system. This comes from article 74 of the Code. This article limits the reporting to the condition of the Code.

Given these reasons, Sweden believes that the request of the Committee this time is not in the line of the Code. However, due to respect for the Committee and its important task, Sweden will despite this report in accordance with the present request this time.

On the 131st meeting of the Committee it was decided on a thorough discussion of the legal aspects of the Code, which Sweden looks forward to.

The commonly agreed EU indicators in the area of social inclusion and social protection provide the most recent statistical description of the structure and dynamics of poverty in the EU. The indicators are presented and analysed in e.g. the Annual reports of the Social Protection Committee on the social situation in the European Union, the monitoring of the EU2020 target on poverty and social exclusion, the Joint Assessment Framework (JAF), the Social Protection Performance Monitoring (SPPM) and in various thematic reports. These tools give a comprehensive description of the social situation for e.g. children, pensioners and the active population in the EU and its Member States.

According to the most recently available statistics, referring to indicators describing the situation in 2013, the EU at-risk-of poverty (AROP) rate in Sweden was 14,8 % for the total population which is below the EU average of 16,7%, while the AROP rate for children aged 0-17 was significantly below that of the EU average (16,2 % compared to 27,6 %). Also the AROP for the elderly population was below the EU average (16,5 % vs 18,3 %) as well as for the active population, where the difference was significantly larger (16,5 % compared to 25,3 %). As in a majority of the European Member States the relative at risk of poverty rate has increased in Sweden over the last decade, but it has done it from a low level.

The European Commission's country report 2015(SWD(2015) 46 final) in relation to the Commission's country specific recommendation also noted that Sweden generally has low levels of social exclusion and poverty in comparison with the EU average. The Commission did not give any recommendation to Sweden in the area of social policy and the country report briefly notes the increase in income inequality and provides a short

analysis of the increased relative risk of poverty among women above age 65. The Commission recognise e.g. the impact of lowered taxation of earned income as a factor behind the poverty risk of pensioners with the lowest entitlements. In this context, the Commission also noted that Swedish pensioners have access to subsidised social services and personal care, capping expenses irrespective of the extent of the needs of the individual, which to some extent compensate for this group's lower income. Similar features in the Swedish welfare system are also important to recognise in relation to other groups of the population mentioning e.g. free of charge health and dental care for children. It should furthermore be noted that according to the latest available data from Eurostat the relative risk of poverty for elderly has decreased since 2011, for both women and men. The Commission notes also that Sweden has the lowest levels of severe material deprivation in the EU, 1,4 % compared to 9,6 % for the EU average.

Nevertheless, the Swedish Government has during the last year undertaken measures and implemented reforms to strengthen opportunities for people to support themselves, but also to improve standards for those groups who nonetheless have a weak economic position. Measures that are mentioned in Sweden's National Reform Program 2015 and in Sweden's Strategic Social Reporting 2015 are for example; support and requirements referring to unemployed people receiving social assistance, combating homelessness, higher maintenance support, free of charge pharmaceuticals for children and higher housing supplement for pensioners.

CHAPTER II. Selection of the Article 65, 66 or 67 under C102/ECSS and determination of the Standard Reference Wage used for calculating the replacement level of benefits

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- [Fig.10. Comparison of the reported reference wage to other wage indicators in Sweden](#)

Fig. 1. Article 65: Type of social security schemes and method of benefit calculation

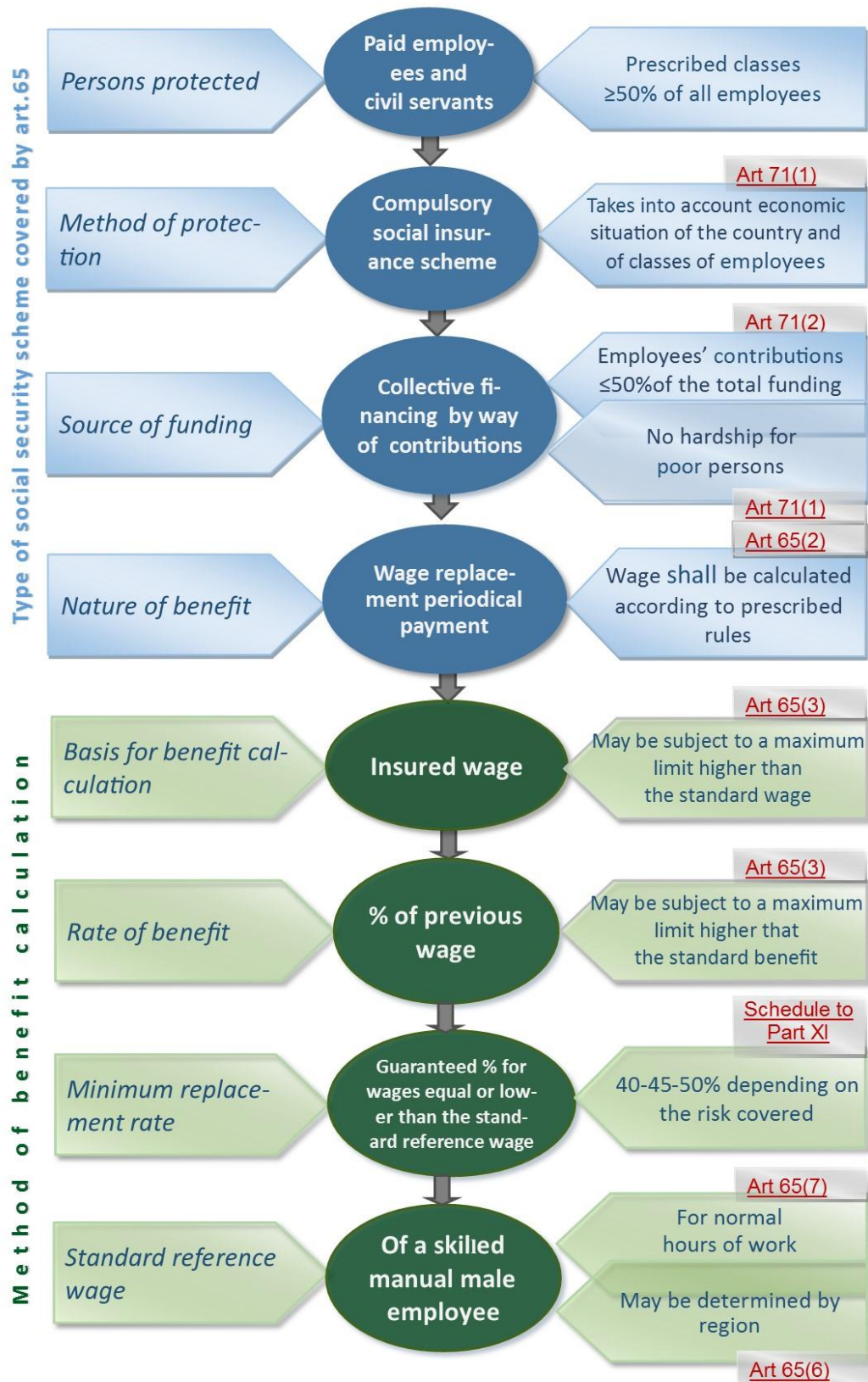


Fig. 2. Article 66: Type of social security schemes and method of benefit calculation

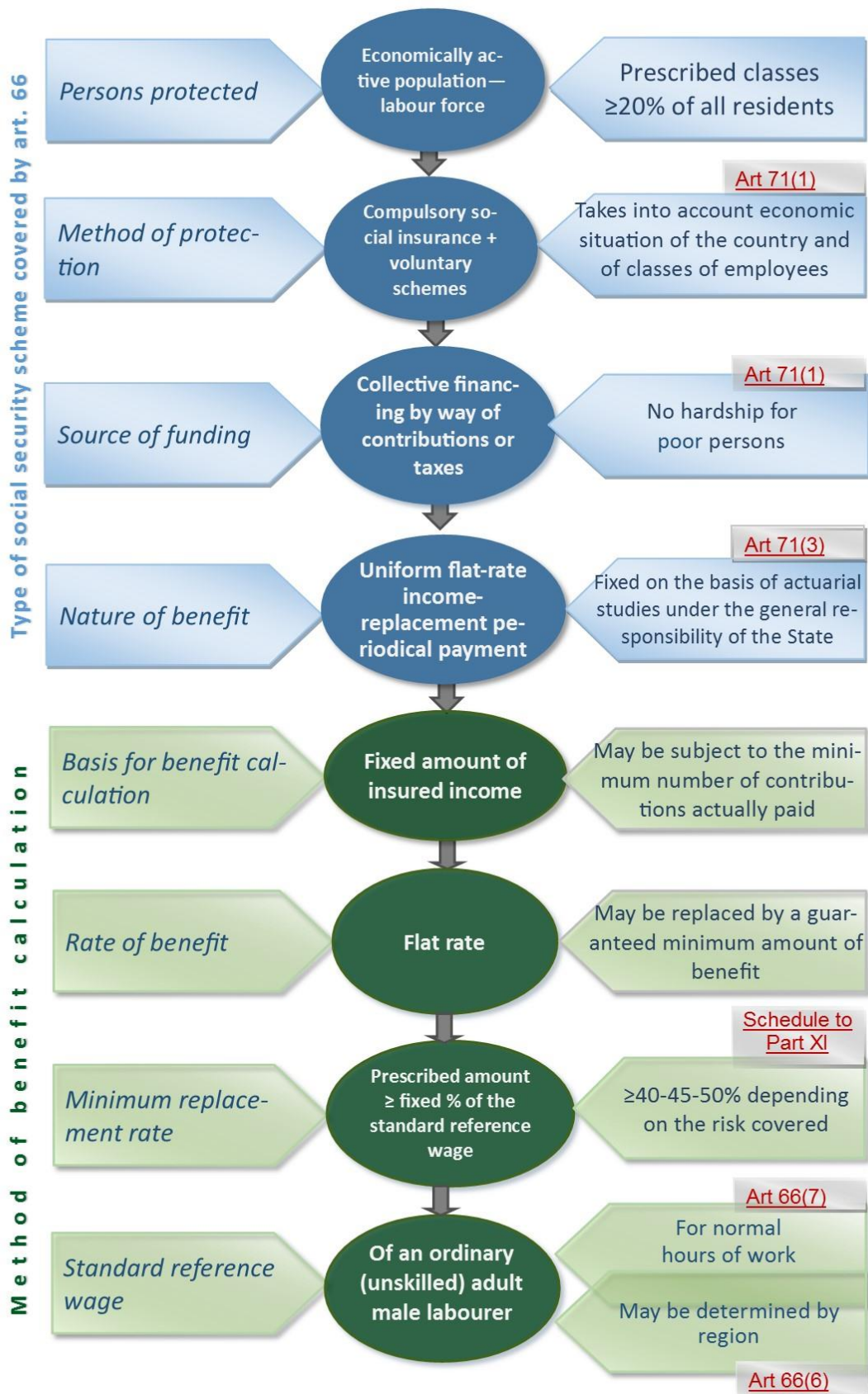
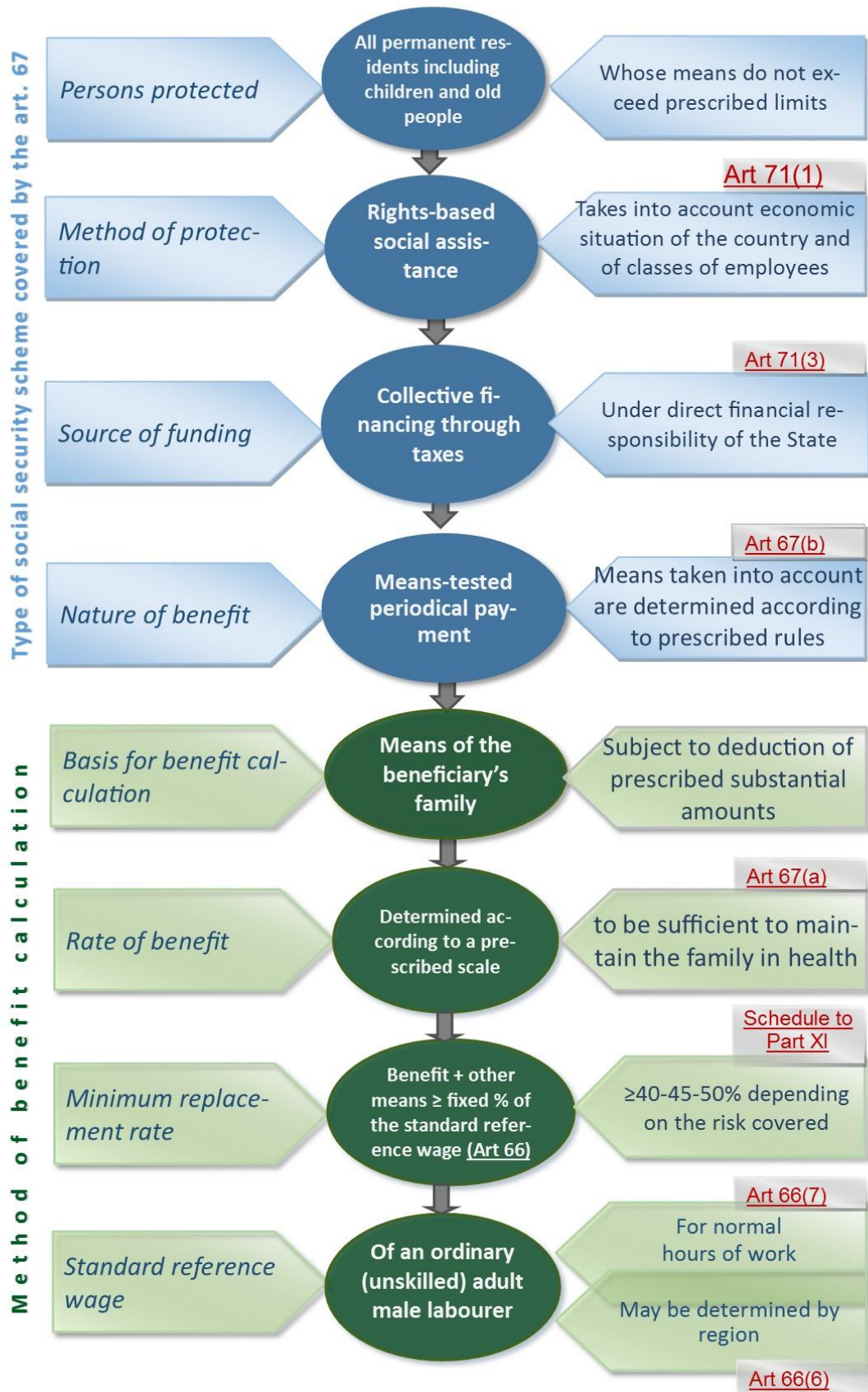


Fig. 3. Article 67: Type of social security schemes and method of benefit calculation



Extracts from the Government Reports (2011-2015) on the ECSS concerning the Reference Wage

Report of Sweden under Article 74 of the European Code of Social Security and its Protocol (1 July 2014 - 30 June 2015)

To determine the reference wage of the standard beneficiary used for calculating the replacement level of benefits under articles 65-66 Sweden will use option 2 (Art.65 (6)b) and option 4 (Art.66 (4)a). To calculate the average wage of a typical skilled/unskilled manual male employee we will follow the suggested method showed in the ILO Technical note. The wage will be determined by cross-tabulating two classifications used for example in the Eurostat SES; ISCO08 (group 7 – skilled and 9 ordinary) and ISIC rev.4 (C – manufacturing). Since Eurostat SES only is produced every fourth year, we will use data produced by Sweden Statistics in order to get as updated data as possible.

44th Report of Sweden under Article 74 of the European Code of Social Security and its Protocol (1 July 2010 - 30 June 2011), p. 7

125 percent of the average yearly income based on monthly income for manual workers (men and women altogether) in the private sector for 2009 according to the latest available SCB statistics), indexed to the 2010 value according to wage increases estimated by the National Institute of Economic Research (0,3 percent).

44th Report of Sweden under Article 74 of the European Code of Social Security and its Protocol (1 July 2010 - 30 June 2011), p. 13

The total yearly earnings of the employee concerned (standard beneficiary) for 2010 is estimated at SEK 350,549.

Table 1. Calculation of the reference wage under all options permitted by articles 65-66 of the ECSS/C102

Articles in the ECSS/C.102		Comments	Reference wage: amount	
			ILO calculations ¹ -2010	Government ²
Article 65 (para 6): a skilled manual male employee				
Option 1	Art.65 (6)a: a fitter or turner in the manufacture of machinery other than electrical machinery	occupations of fitter and turner can be found among skilled employees of ISCO 08 ³ (group 7)	N/A	
Option 2	Art.65 (6)b: a person deemed typical of skilled labour	a skilled employee of the ISIC rev.4 ⁴ group with the highest number of male employees: typical skilled male worker in manufacturing	2706 euros ⁵ <i>To compare: 125% of the average wage of a skilled worker = 2748 euros *1.25= 3435 euros</i>	125 % of the average yearly income based on monthly income for manual workers (men and women altogether) in private sector SEK 350.549 per year = 3160.5 euros/month (2010 ex.rate)
Option 3	Art.65 (6)c: a person whose earnings are equal to 125 per cent of the average earnings of all the persons protected	in countries where all employees are protected average wage is normally used	3285 euros ⁶ (full-time and part-time employees)	
Article 66 (para 4): an ordinary manual male labourer				
Option 4	Art.66 (4)a: a person deemed typical of unskilled labour in the manufacture of machinery other than electrical machinery	an employee of the ISIC rev.4 Manufacture of machinery (2-digit level of the classification: ISIC Rev.4 Section C. Manufacturing, code 28)	N/A	
Option 5	Art.66 (4)b: a person deemed typical of unskilled labour	an unskilled employee of the ISIC rev.4 group with the highest number of male employees: typical unskilled male worker in manufacturing	2495euros ⁷	

* Gross wages are used unless stated otherwise

¹ ILO calculations based on EUROSTAT data from Labour Force Survey - LFS-2013 and SES-2010 (see detailed information further)

² Reference wage reported by the Government on the application of ECSS and C.102

³ ISCO 08 – International Standard Classification of Occupations 2008 (detailed explanation to follow) <http://www.ilo.org/public/english/bureau/stat/isco/isco08/>

⁴ ISIC rev.4 - International Standard Industrial Classification of All Economic Activities, Rev.4, 2008
<http://unstats.un.org/unsd/cr/registry/isic-4.asp>

⁵ Structure of earnings survey (SES) – Eurostat, 2010 http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses10_48&lang=en

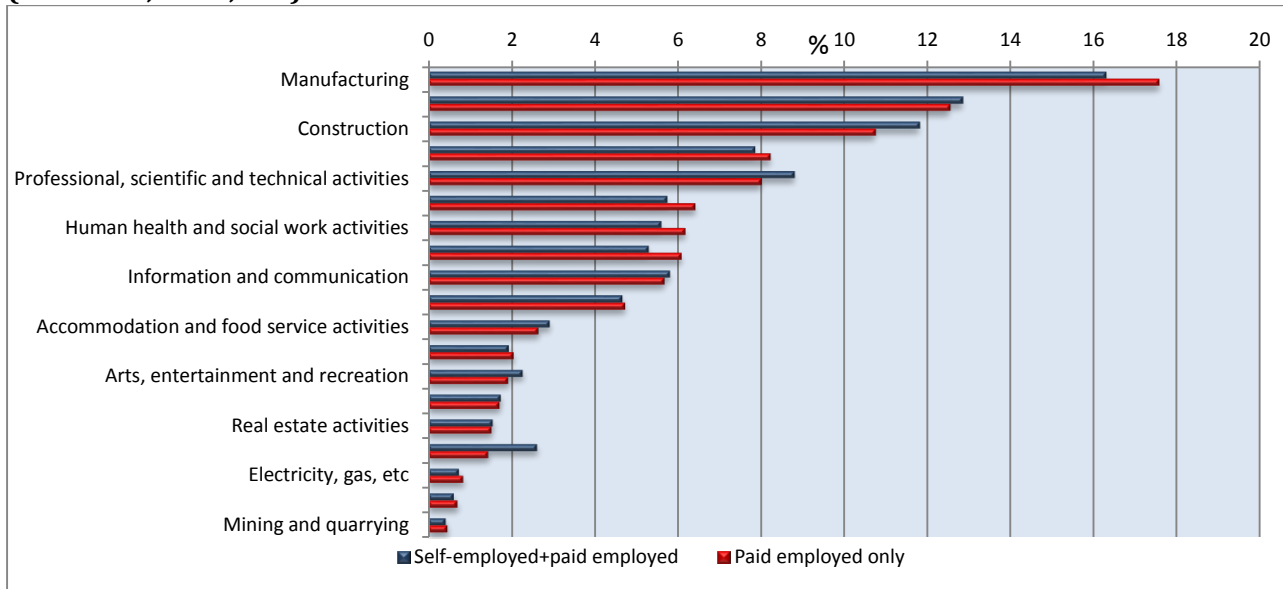
⁶ Structure of earnings survey (SES) – Eurostat, 2010 http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses_monthly&lang=en

⁷ Structure of earnings survey – Eurostat, 2010 http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses10_48&lang=en

ILO assessment of the options offered by articles 65-66:

OPTION 2 - a typical manual male employee is found in the sector with the highest number of employed males = Manufacturing

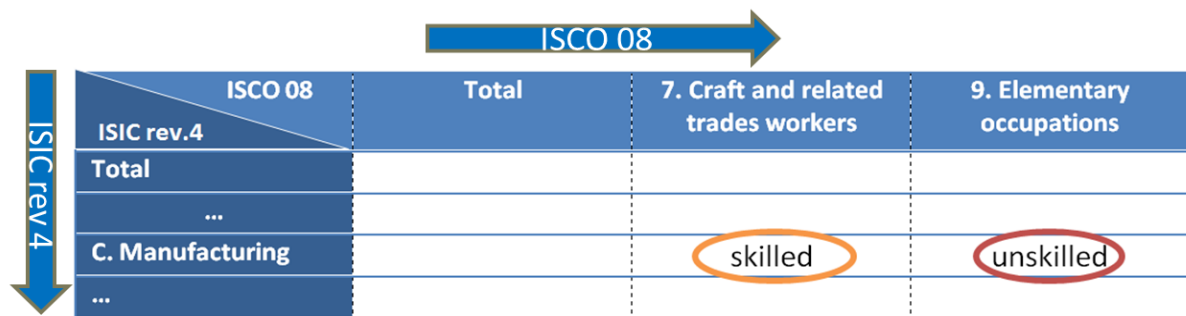
Fig.4. Share of employed males by economic activity in total male employment and share of males in paid employment by economic activity in total number of males in paid employment (ISIC rev.4, 2013, LFS)



Source: Eurostat LFS - http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=lfsa_egaps&lang=en

Fig.5. The average wages of a typical skilled/unskilled manual male employee are determined by cross-tabulating of the two classifications

- ISCO 08 - International Standard Classification of Occupations (group 7- skilled and 9 - ordinary)
- ISIC rev.4 - International Standard Industrial Classification of All Economic Activities, Rev.4, 2008



ISCO 08:

ISCO 08: Major group 7

Craft and related trades workers apply their specific knowledge and skills to produce or process goods. The tasks call for an understanding of all stages of the production process, the materials and tools used and the nature and purpose of the final product. Most occupations in this group require skills at the second ISCO level.

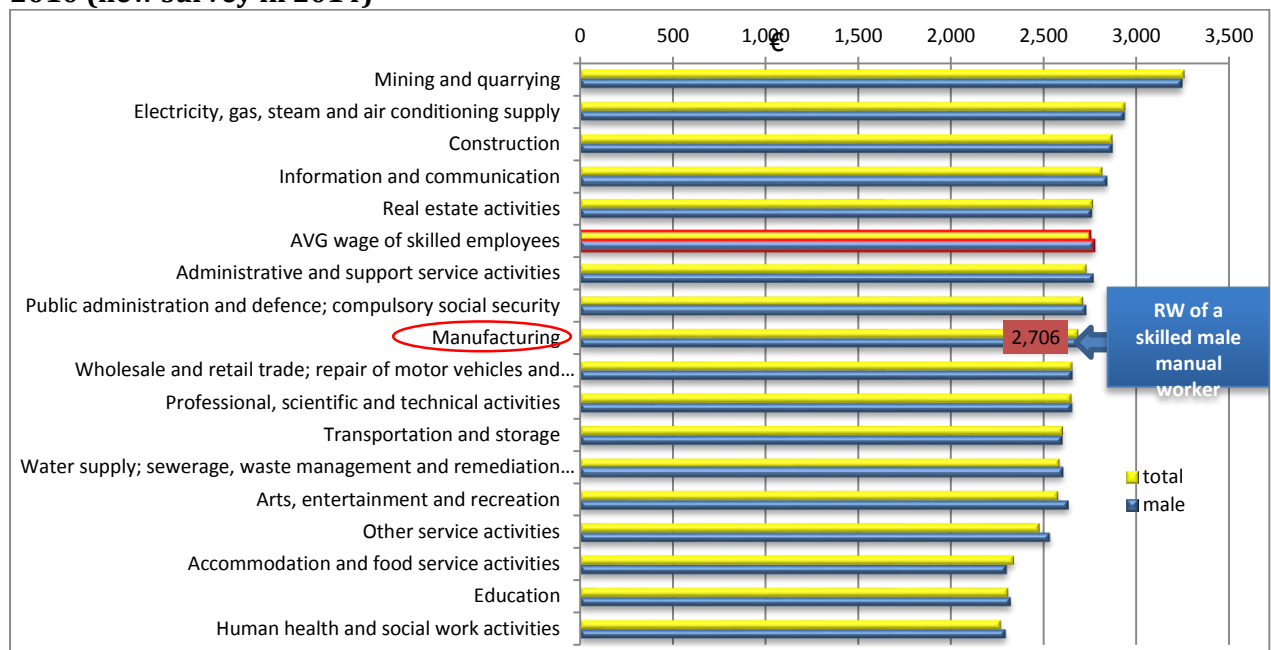
The work is carried out by hand and by hand-powered and other tools.

ISCO 08: Major group 9

Elementary occupations involve the performance of simple and routine tasks which may require the use of hand-held tools and considerable physical effort.

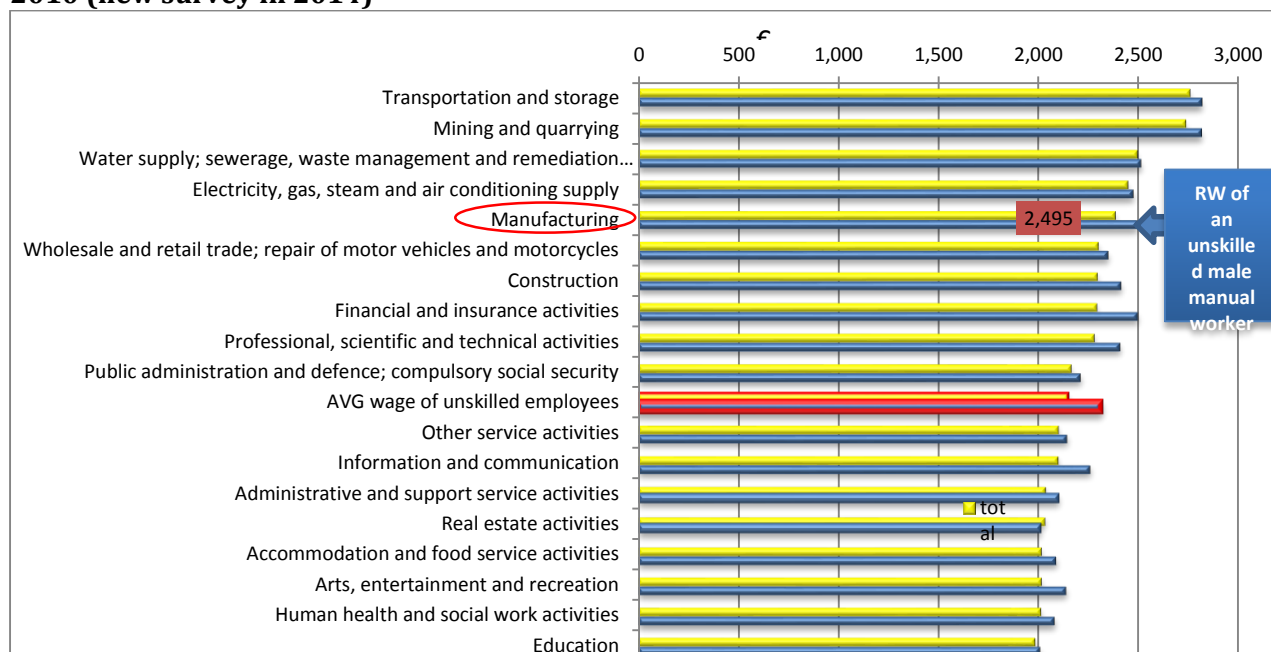
Most occupations in this major group require skills at first level of ISCO (involve physical and manual tasks, require only primary education at most)

Fig.6. Average monthly wages of skilled employees by economic activity, SES-Eurostat, 2010 (new survey in 2014)



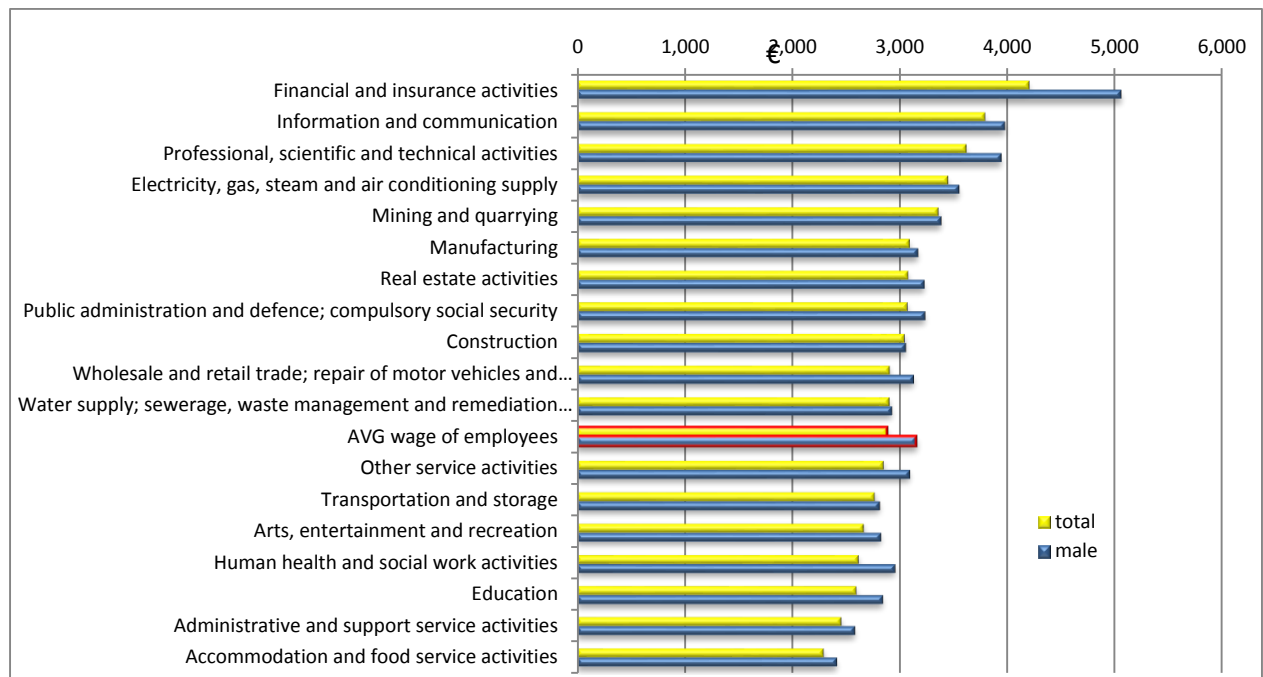
Source: Eurostat SES - http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses10_48&lang=en

Fig.7. Average monthly wages of unskilled employees by economic activity, SES-Eurostat, 2010 (new survey in 2014)



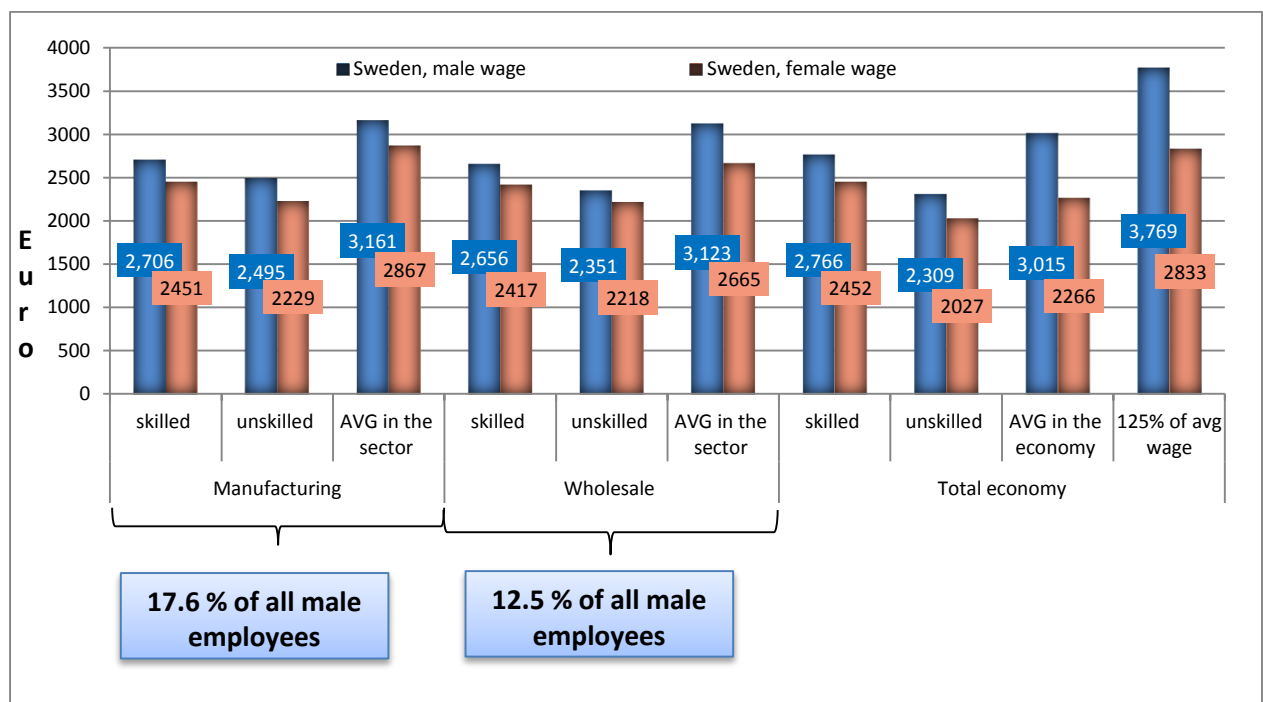
Source: Eurostat SES - http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses10_48&lang=en

Fig.8. Average monthly wages of employees by economic activity, SES-Eurostat, 2010 (new survey in 2014)



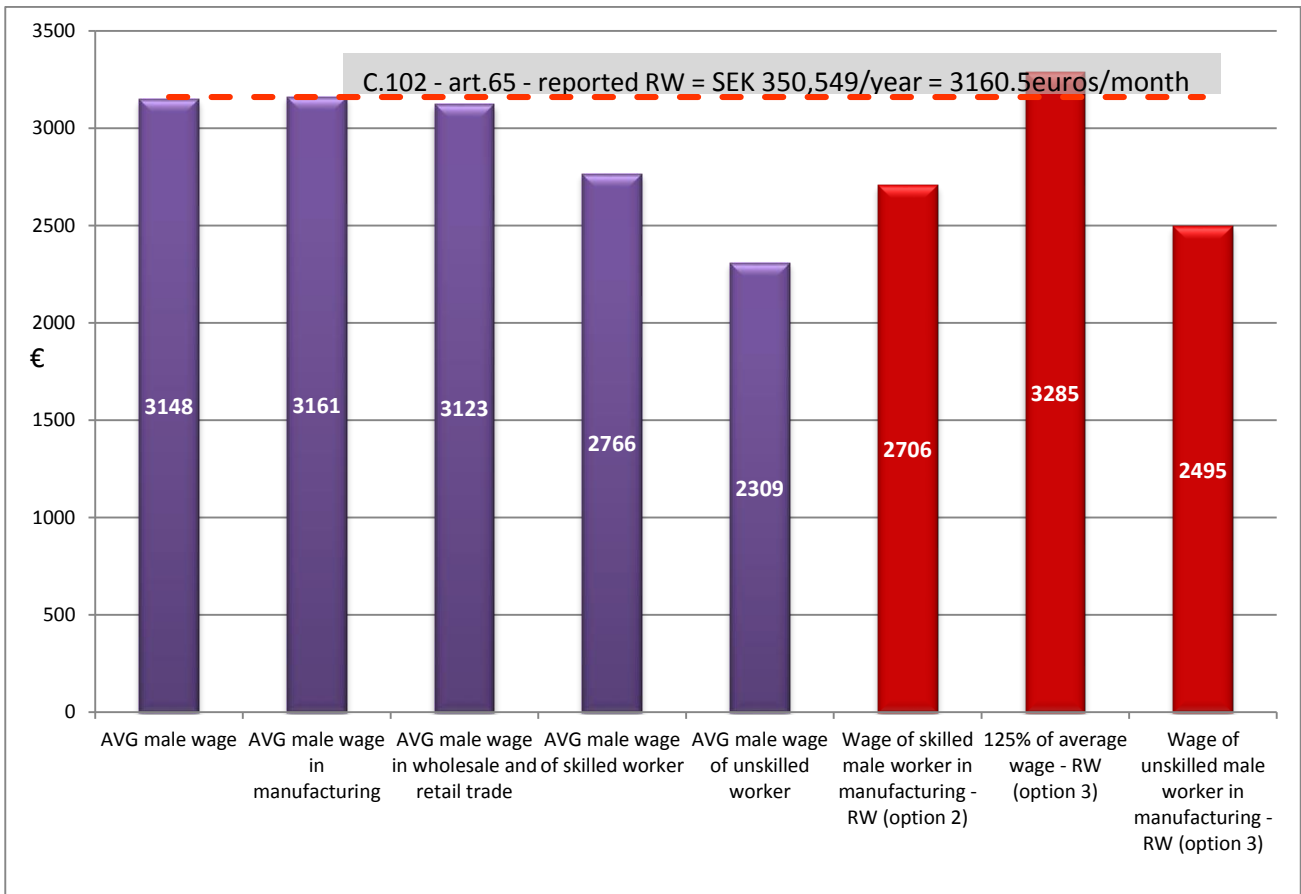
Source: Eurostat SES - http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses10_48&lang=en

Fig.9. Average monthly wages of male and female skilled and unskilled employees in the 2 sectors (Manufacturing and Wholesale and retail trade) with the highest number of male employees, in comparison to other wage indicators in Sweden, SES –Eurostat, 2010 and EU-SILC, 2010



Source: Eurostat SES - http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses10_48&lang=en and http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses_monthly&lang=en – 125% of average wage (include both full-time and part-time employees)

Fig.10. Comparison of the reported reference wage to other wage indicators in Sweden, 2010, euros



Source: Eurostat SES - http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses10_48&lang=en and http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=earn_ses_monthly&lang=en for option 3 – 125% of average wage (include both full-time and part-time employees)

CHAPTER III. Integrated Management of compliance and reporting obligations of Sweden under social security provisions of the ratified international treaties on social rights

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Table 1. Up-to-date social security standards in force

Social Human Rights	Right to health		Right to work		Right to just conditions of work	Right of the family and children to protection	Right of mothers to protection	Rights of persons with disabilities		Right to an adequate standard of living	Financing & Organization
International treaties											
ICECSR	<i>Right to Social Security Art.9</i>										
	Art.12		Art.6		Art.7§b	Art.10§1§3	Art.10§2			Art.7§a§ii, 11§1	Art.2§1, 4, 5
UN Conventions					CRPD	CRC	CEDAW	CRPD			
ESC Revised	Art.11, 13§1		Art.1§1§3	Art.23	Art.3§1§2§3, 15§2	Art.16, 27§1b,c	Art.8§1	Art.15 §1§3		Art.4§1, 13§1§2§3, 14, 30	
	<i>Right to Social Security Art.12§1§2§3</i>										
Protocol	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V</i>	<i>VI</i>	<i>VII</i>	<i>VIII</i>	<i>IX</i>	<i>X</i>	<i>Schedule to XI</i>	
ECSS	<i>Medical care Part II</i>	<i>Sickness benefit Part III</i>	<i>Unemployment benefit Part IV</i>	<i>Old-age benefit Part V</i>	<i>Employment injury benefit Part VI</i>	<i>Family benefit Part VII</i>	<i>Maternity benefit Part VIII</i>	<i>Invalidity benefit Part IX</i>	<i>Survivor's benefit Part X</i>	<i>Level of benefits Part XI</i>	<i>Financing & Organization Part XII</i>
C102	Part II	Part III	Part IV	Part V	Part VI	Part VII	Part VIII	Part IX	Part X	Part XI	Part XIII
ILO Conventions					C121					C121 Art.19-21	C121 Art.22-26
				C128 Part III				C128 Part II	C128 Part IV	C128 Part V	C128 Part VI
	C130 Part II	C130 Part III								C130 Part III	C130 Part IV
			C168				C183 Art.6,7			C168 Art.15,16	C168 Part VIII

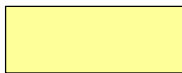


Social Security Standards in force for Sweden



Social Security Standards not in force

Social Human Rights	Right to health		Right to work		Right to just conditions of work	Right of the family and children to protection	Right of mothers to protection	Rights of persons with disabilities		Right to an adequate standard of living	Financing & Organization
International treaties											
ICECSR	<i>Right to Social Security Art.9</i>										
	Art.12		Art.6		Art.7§b	Art.10§1§3	Art.10§2			Art.7§a§ii, 11§1	Art.2§1, 4, 5
UN Conventions					CRPD	CRC	CEDAW	CRPD			
ESC Revised	Art.11, 13§1		Art.1§1§3	☹️ Art.23	Art.3§1§2§3, 15§2	Art.16, 27§1b,c	Art.8§1	Art.15 §1§3		Art.4§1, 13§1§2§3, 14, 30	
	☹️ <i>Right to Social Security Art.12§1</i>										
	<i>Art.12§2§3</i>										
Protocol	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V</i>	<i>VI</i>	<i>VII</i>	<i>VIII</i>	<i>IX</i>	<i>X</i>	<i>Schedule to XI</i>	
ECSS	<i>Medical care Part II</i>	<i>Sickness benefit Part III</i>	<i>Unemployment benefit Part IV</i>	<i>Old-age benefit Part V</i>	<i>Employment injury benefit Part VI</i>	<i>Family benefit Part VII</i>	<i>Maternity benefit Part VIII</i>	<i>Invalidity benefit Part IX</i>	<i>Survivor's benefit Part X</i>	<i>Level of benefits Part XI</i>	<i>Financing & Organization Part XII</i>
C102	Part II	Part III	Part IV	Part V	Part VI	Part VII	Part VIII	Part IX	Part X	Part XI	Part XIII
ILO Conventions					C121					C121 Art.19-21	C121 Art.22-26
				C128 Part III				C128 Part II	C128 Part IV	C128 Part V	C128 Part VI
	C130 Part II	C130 Part III								C130 Part III	C130 Part IV
			C168				C183 Art.6,7			C168 Art.15,16	C168 Part VIII



Pending comments of the supervisory bodies



critical comments or non-compliance

Table 2. Pending comments of the supervisory bodies

Table 3. Up-to-date standards on which reports are due in 2016

Social Human Rights	Right to health		Right to work		Right to just conditions of work	Right of the family and children to protection	Right of mothers to protection	Rights of persons with disabilities		Right to an adequate standard of living	Financing & Organization
International treaties											
ICECSR	<i>Right to Social Security Art.9</i>										
	Art.12		Art.6		Art.7§b	Art.10§1§3	Art.10§2			Art.7§a§ii, 11§1	Art.2§1, 4, 5
UN Conventions					CRPD	CRC	CEDAW	CRPD			
ESC Revised	Art.11, 13§1		Art.1§1§3	Art.23	Art.3§1§2§3	Art.16, 27§1b,c	Art.8§1	Art.15 §1§3		Art.4§1	
					Art.15§2					Art.13§1§2 §3, 14, 30	
					Art.3§4						
	<i>Right to Social Security Art.12§1§2§3</i>										
Protocol	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V</i>	<i>VI</i>	<i>VII</i>	<i>VIII</i>	<i>IX</i>	<i>X</i>	<i>Schedule to XI</i>	
ECSS	<i>Medical care Part II</i>	<i>Sickness benefit Part III</i>	<i>Unemployment benefit Part IV</i>	<i>Old-age benefit Part V</i>	<i>Employment injury benefit Part VI</i>	<i>Family benefit Part VII</i>	<i>Maternity benefit Part VIII</i>	<i>Invalidity benefit Part IX</i>	<i>Survivor's benefit Part X</i>	<i>Level of benefits Part XI</i>	<i>Financing & Organization Part XII</i>
C102	Part II	Part III	Part IV	Part V	Part VI	Part VII	Part VIII	Part IX	Part X	Part XI	Part XIII
ILO Conventions					C121					C121 Art.19-21	C121 Art.22-26
				C128 Part III				C128 Part II	C128 Part IV	C128 Part V	C128 Part VI
	C130 Part II	C130 Part III								C130 Part III	C130 Part IV
			C168				C183 Art.6,7			C168 Art.15,16	C168 Part VIII



Report in 2016

Social Human Rights	Right to health		Right to work		Right to just conditions of work	Right of the family and children to protection	Right of mothers to protection	Rights of persons with disabilities		Right to an adequate standard of living	Financing & Organization
International treaties											
ICECSR	Right to Social Security Art.9										
	Art.12		Art.6		Art.7§b	Art.10§1 §3	Art.10§2			Art.7§a§ii, 11§1	Art.2§1, 4, 5
UN Conventions					CRPD	CRC	CEDAW	CRPD			
ESC Revised	Art.11, 13§1		Art.1§1§3	Art.23	Art.3§1§2§3, 15§2	Art.16, 27§1b,c	Art.8§1	Art.15 §1§3		Art.4§1	
					Art.3§4					Art.13§1§2 §3, 14, 30	
	Right to Social Security Art.12§1§2§3										
Protocol	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V</i>	<i>VI</i>	<i>VII</i>	<i>VIII</i>	<i>IX</i>	<i>X</i>	<i>Schedule to XI</i>	
ECSS	<i>Medical care Part II</i>	<i>Sickness benefit Part III</i>	<i>Unemployment benefit Part IV</i>	<i>Old-age benefit Part V</i>	<i>Employment injury benefit Part VI</i>	<i>Family benefit Part VII</i>	<i>Maternity benefit Part VIII</i>	<i>Invalidity benefit Part IX</i>	<i>Survivor's benefit Part X</i>	<i>Level of benefits Part XI</i>	<i>Financing & Organization Part XII</i>
C102	Part II	Part III	Part IV	Part V	Part VI	Part VII	Part VIII	Part IX	Part X	Part XI	Part XIII
ILO Conventions					C121					C121 Art.19-21	C121 Art.22-26
				C128 Part III				C128 Part II	C128 Part IV	C128 Part V	C128 Part VI
	C130 Part II	C130 Part III								C130 Part III	C130 Part IV
			C168				C183 Art.6,7			C168 Art.15,16	C168 Part VIII



Report in 2017

Table 4. Up-to-date standards on which reports are due in 2017

Next detailed report of Sweden under Article 74 of the ECSS

(Extract from CEACR 2015 Conclusions)

In accordance with the reporting cycle on the Code, in July–August 2016, the Government shall submit a detailed report covering the period of five years from 1 July 2011 to 30 June 2016. In accordance with the reporting cycle on Convention No. 102, in June–August 2016, the Government shall also submit a detailed report for the period from 1 June 2011 to 31 May 2016. The Committee draws the Government’s attention to the alignment of the reporting obligations under the Code and Convention No. 102 and to the similarity of the Report Forms on both instruments, the objective of which is to reduce the administrative workload and avoid duplication of reports. For this purpose, the Report Form on the Code expressly stipulates that, if a Government is bound by similar obligations as a result of having ratified ILO Convention No. 102, “it may communicate to the Council of Europe copies of the reports it submits to the International Labour Office on the implementation of this Convention”. Where certain Parts of Convention No. 102 have ceased to be applicable due to ratification of the corresponding Parts of the more advanced Conventions Nos 121, 128 and 130, the Government may equally communicate to the Council of Europe copies of its reports on these Conventions. The Committee points out that this simplified procedure can be used next year to report on all accepted Parts of the Code and refers the Government to the tables in the ILO technical note concerning coordination of reporting obligations. Conversely, the information provided by the Government in its annual reports on the Code is regularly taken into account by the Committee in assessing the application of Conventions Nos 102, 121, 128 and 130.

Furthermore, by 31 October 2016, Sweden will also report on the application of the accepted provisions of the European Social Charter under the thematic group “Health, social security and social protection”, which includes the right to protection of health (Article 11), the right to social security (Article 12), the right to social and medical assistance (Article 13), the right to benefit from social welfare services (Article 14), the right of elderly persons to social protection (Article 23), the right to protection against poverty and social exclusion (Article 30). The Committee observes that these articles of the Charter are directly related to many provisions of the Code and ILO social security Conventions, which form a single legal space of the international social security law. Taking into account that the reference period for the report on the Charter (1 January 2012 to 31 December 2015) falls inside the reference periods for detailed reports on the Code and ILO social security Conventions, the Government is invited to coordinate the fulfilment of its compliance and reporting obligations under these instruments in order to improve the quality and consistency of the information provided. Such coordination could be extended further to include future reporting on the social security provisions of the United Nations human rights treaties, including the International Covenant on Economic, Social and Cultural Rights.

With regard to coordination of compliance obligations, the Committee recalls that, in formulating its country conclusions on the application of the Code, it takes account of the relevant observations made by other supervisory bodies, such as the European Committee of Social Rights and the United Nations Committee on Economic, Social and Cultural Rights. To facilitate the integrated management of Sweden’s obligations under the social security provisions of the main European and international treaties on social rights, the Committee refers the Government to the coordination tables and reporting timelines presented in the ILO technical note, together with the structured compilation of the comments made by their supervisory bodies.

Parts of Convention No.102 no longer applicable following ratification of more advanced standards

C102 - Social Security (Minimum Standards)

Article 75

If any Convention which may be adopted subsequently by the Conference concerning any subject or subjects dealt with in this Convention so provides, such provisions of this Convention as may be specified in the said Convention shall cease to apply to any Member having ratified the said Convention as from the date at which the said Convention comes into force for that Member.

C121 - Employment Injury Benefits → C102, Part IV

Article 29

In conformity with Article 75 of the Social Security (Minimum Standards) Convention, 1952, Part VI of that Convention and the relevant provisions of other Parts thereof shall cease to apply to any Member having ratified this Convention as from the date at which this Convention comes into force for that Member, but acceptance of the obligations of this Convention shall be deemed to constitute acceptance of the obligations of Part VI of the Social Security (Minimum Standards) Convention, 1952, and the relevant provisions of other Parts thereof, for the purpose of Article 2 of the said Convention

C128 - Invalidity, Old-Age and Survivors' Benefits → C102, Parts V, IX, X

Article 45

1. In conformity with the provisions of Article 75 of the Social Security (Minimum Standards) Convention, 1952, the following Parts of that Convention and the relevant provisions of other Parts thereof shall cease to apply to any Member having ratified this Convention as from the date at which this Convention is binding on that Member and no declaration under Article 38 is in force:

- (a) Part IX where the Member has accepted the obligations of this Convention in respect of Part II;
- (b) Part V where the Member has accepted the obligations of this Convention in respect of Part III;
- (c) Part X where the Member has accepted the obligations of this Convention in respect of Part IV.

2. Acceptance of the obligations of this Convention shall, on condition that no declaration under Article 38 is in force, be deemed to constitute acceptance of the obligations of the following parts of the Social Security (Minimum Standards) Convention, 1952, and the relevant provisions of other Parts thereof, for the purpose of Article 2 of the said Convention:

- (a) Part IX where the Member has accepted the obligations of this Convention in respect of Part II;
- (b) Part V where the Member has accepted the obligations of this Convention in respect of Part III;
- (c) Part X where the Member has accepted the obligations of this Convention in respect of Part IV.

C130 - Medical Care and Sickness Benefits → C102, Part III

Article 36

1. In conformity with the provisions of Article 75 of the Social Security (Minimum Standards) Convention, 1952, Part III of that Convention and the relevant provisions of other Parts thereof shall cease to apply to any Member having ratified this Convention as from the date at which this Convention is binding on that Member and no declaration under Article 3 is in force.
2. Acceptance of the obligations of this Convention shall, on condition that no declaration under Article 3 is in force, be deemed to constitute acceptance of the obligations of Part III of the Social Security (Minimum Standards) Convention, 1952, and the relevant provisions of other Parts thereof, for the purpose of Article 2 of the said Convention.

C130, Part II → C102, Part II

N.B! For information and reporting purposes, more advanced provisions on medical care contained in C130 include all those contained in Part II of C102.

C168 → C102, Part IV

N.B! For information and reporting purposes, more advanced provisions on unemployment benefit of C168 include those contained in Part IV of C102.

Coordination of reporting between the ECSS and C102

Form for the annual report on the European Code of Social Security (as modified by the Protocol additional thereto)

If a Government is bound by similar obligations as a result of having ratified the Social Security (Minimum Standards) Convention adopted by the 1952 General Conference of the International Labour Organisation, it may communicate of the Council of Europe copies of the reports it submit to the International Labour Office on the implementation of this Convention.

Council of Europe, Strasbourg 1967

Table 5. Coordination of reporting obligations on up-to-date ILO social security Conventions ratified by Sweden

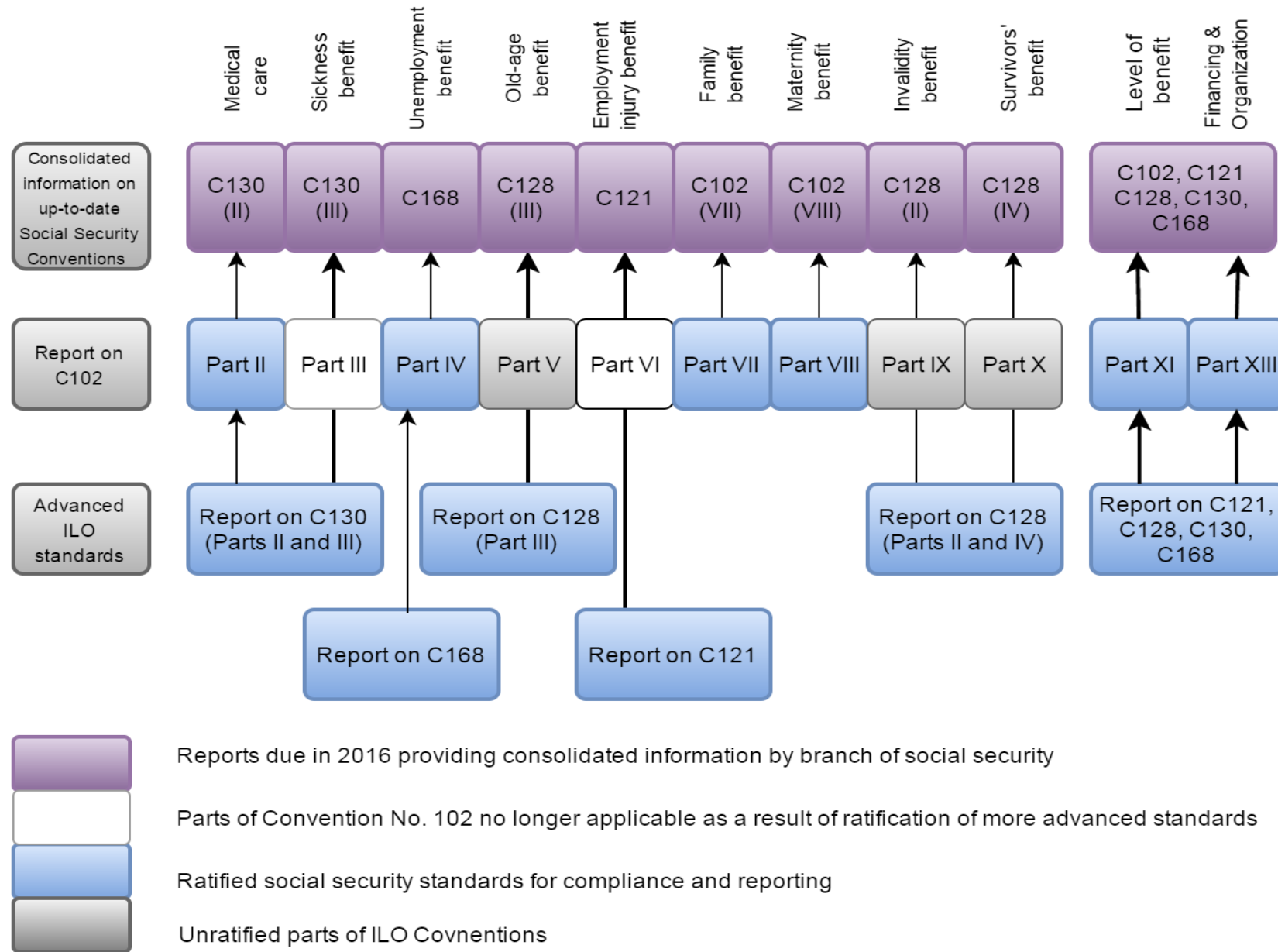
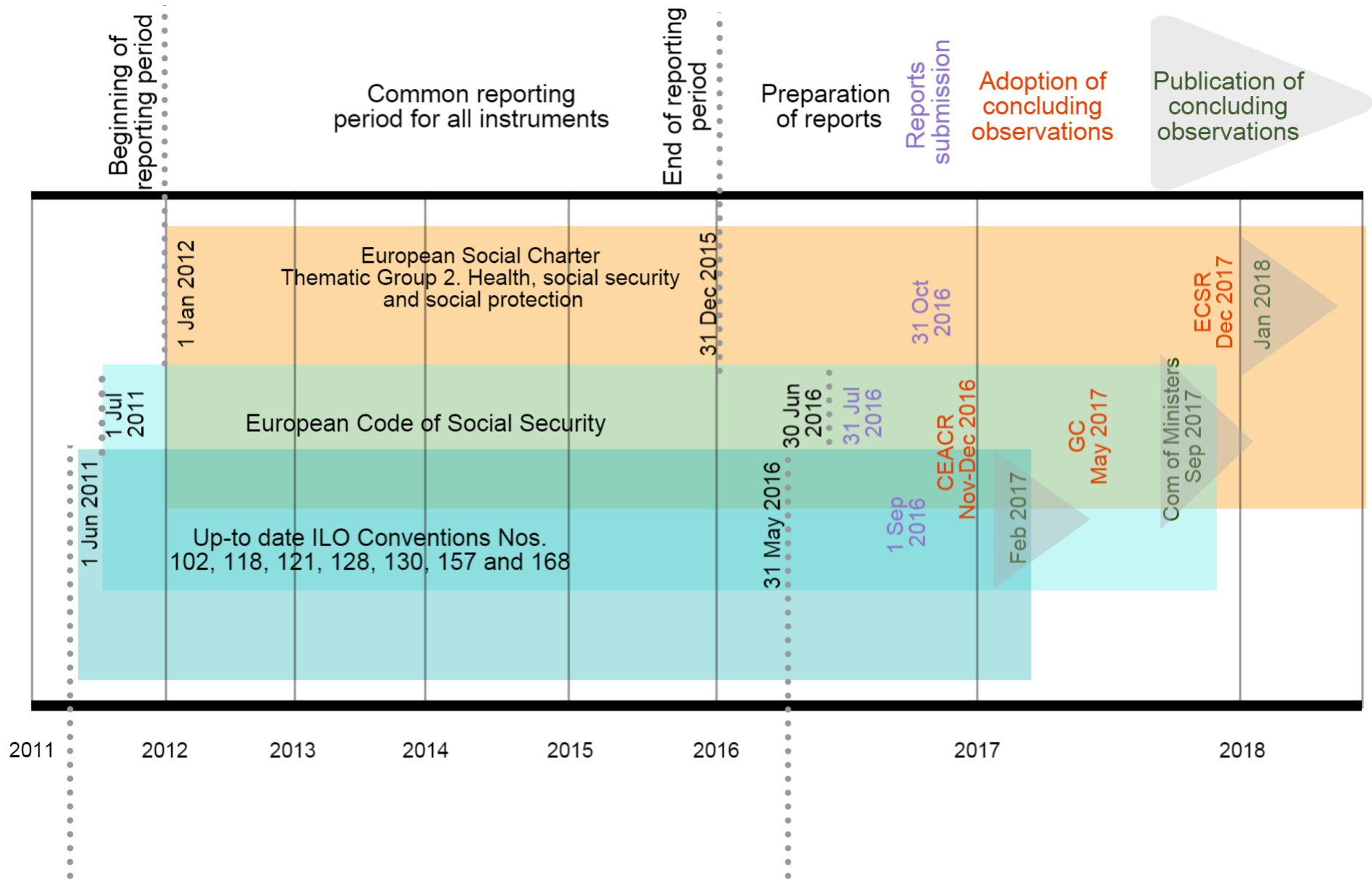


Fig. 1. Time management of the 5 years reporting cycle (2011-2016/17) on international and European social security standards



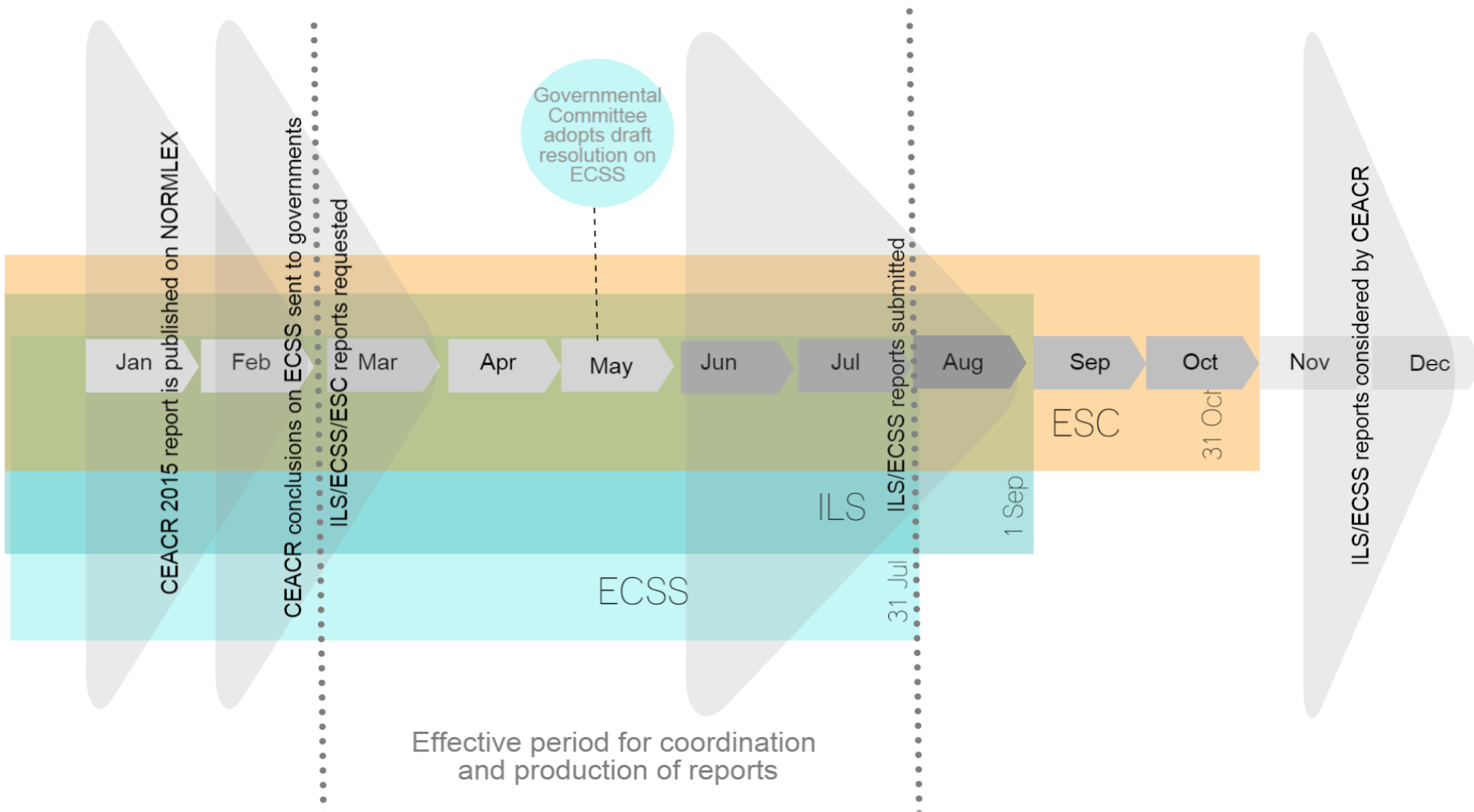


Fig. 2. Time management for reporting on social security standards in 2016

Chapter IV. Concluding observations of the supervisory bodies concerning provisions of the ratified international treaties on social rights and statements of other international bodies reviewing national economic and social policy

- [Table 1. International treaties on social rights ratified by Sweden](#)
 - [Table 2. Monitoring Mechanisms of State Party Compliance and Reporting Obligations](#)
1. **[United Nations](#)**
 - [International Covenant on Economic, Social and Cultural Rights](#)
 - [Convention on the Rights of the Child](#)
 - [Convention on the Elimination of All Forms of Discrimination against Women](#)
 - [Convention on the Right of Persons with Disabilities](#)
 2. **[Council of Europe](#)**
 - [European Social Charter](#)
 - [European Code of Social Security](#)
 3. **[International Labour Organization](#)**
 - [Social Security \(Minimum Standards\) Convention, 1952 \(No.102\)](#)
 - [Employment Injury and Benefits Convention, 1964 \(No.121\)](#)
 - [Employment Promotion and Protection against Unemployment Convention, 1988 \(No. 168\)](#)
 4. **[EU Country-Specific Recommendations: 2015](#)**

Table 1. In force international treaties on social rights ratified by Sweden

Body	International Treaty	Entry into force for Sweden	Next report due on
United Nations	ICESCR	6 Dec 1971	Submitted 26 Jul 2013, tbc in 2016
	Convention on the Rights of the Child	29 Jun 1990	01 Mar 2021
	Convention on the Elimination of All Forms of Discrimination against Women	2 Jul 1980	Submitted 05 Sep 2014, tbc in 2016
	Convention on the Rights of People with Disabilities	15 Dec 2008	15 Jan 2019
Council of Europe	European Code of Social Security	17 Mar 1968	1 Jul - 31 Aug 2016
	European Social Charter (Revised)	29 May 1998	31 Oct 2015
International Labour Organization	Convention 102	12 Aug 1953	1 Jun - 1 Sep 2016
	Convention 103		
	Convention 121	17 Jun 1969	1 Jun - 1 Sep 2016
	Convention 128	26 Jul 1968	1 Jun - 1 Sep 2016
	Convention 130	14 May 1970	1 Jun - 1 Sep 2016
	Convention 168	18 Dec 1990	1 Jun - 1 Sep 2016
	Convention 183		
European Union	Country-Specific Recommendation of 14 July 2015		

Table 2. Monitoring Mechanisms of State Party Compliance and Reporting Obligations

<i>Instrument</i>	<i>Supervisory body</i>	<i>Reporting cycle</i>	<i>Comments of body</i>
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Committee on Economic, Social and Cultural Rights (CESCR)	Periodic reports – every 5 years; initial report – within one year after the entry into force (Art.17)	Concluding observations of the CESCR
Convention on the Rights of the Child	Committee on the Rights of the Child (CRC)	Periodic reports – every 5 years; initial report – within two years after the entry into force (Art.44)	Concluding observations of the CRC
Convention on the Elimination of All Forms of Discrimination against Women	Committee on the Elimination of Discrimination against Women (CEDAW)	Periodic reports – every 4 years; initial report – within one year after the entry into force (Art.18)	Concluding observations of the CEDAW
Convention on the Rights of People with Disabilities	Committee on the Rights of Persons with Disabilities (CRPD)	Periodic reports – every 4 years; initial report – within two years after the entry into force (Art.35)	Concluding observations of the CRPD
European Code of Social Security (ECSS)	ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) ; European Committee on Social Rights (ECSR) ; Governmental Committee (GC) of the ESC and the ECSS; Committee of Ministers of the Council of Europe.	Full reports – every five years in conjunction with the ILO Convention 102; Periodic reports every year (Art.74).	Conclusions of the CEACR; Report and recommendations of the GC; Resolutions of the Committee of Ministers.
European Social Charter/ Revised European Social Charter (ESC)	European Committee on Social Rights (ECSR) ; GC of the ESC and the ECSS; Committee of Ministers of the Council of Europe.	Normal reports – annually on one of four thematic groups; simplified reports – every two years in case of acceptance of the collective complaints procedure.	Conclusions (national reports) and decisions (collective complaints) of the ECSR; Report and recommendations of the GC; Resolutions of the Committee of Ministers.
ILO Conventions (C102, C121, C128, C130, C168, C183)	Committee of Experts on the Application of Conventions and Recommendations (CEACR) ; Conference Committee on the Application of Standards (CAS) .	Periodic reports every 5 years; detailed initial report after one year following the entry into force.	Observations and direct requests of the CEACR; Conclusions of the CAS.

1. United Nations

International Covenant on Economic, Social and Cultural Rights – Concluding observations 2008

(the numeration of comments is kept in accordance to the original)

[UN Office of the High Commissioner for Human Rights website link, Treaty bodies database](#)

The Committee notes with concern the unemployment rate of persons with disabilities is still higher than the average unemployment rate. (arts. 6 and 2.2)

The Committee, in line with its General Comment No. 5 (1994) on persons with disabilities, urges the State party to evaluate and to review its measures to ensure that persons with disabilities have equal opportunities for productive and gainful employment, as well as their implementation. The Committee requests the State party to provide information in the next periodic report on progress made with regard to measures taken within the framework of the national action plan “From patient to citizen”.

Convention on the Rights of the Child – Concluding observations 2015

[UN OHCHR website link, Treaty bodies database](#)

Allocation of resources

The Committee notes with concern that the national budget does not include specific budgetary allocations for the implementation of the Convention.

The Committee recommends that the State party:

- (a) Provide, in its next periodic report to the Committee, specific information, in figures and percentages, on the national budget with regard to the implementation of the Convention;**
- (b) Adopt a child rights-based approach in the preparation of the State budget by implementing a tracking system for the allocation and use of resources for children throughout the budget;**
- (c) Undertake impact assessments on how “the best interests of the child” are taken into consideration in relation to investments or budget cuts in any sector, and measure the impact of such investments or budget cuts on both girls and boys.**

Convention on the Elimination of All Forms of Discrimination against Women – Concluding observations 2016

[UN OHCHR website link, Treaty bodies database](#)

Employment

34. The Committee welcomes the generally high labour force participation of women in the State party and the various measures taken to facilitate the reconciliation of family and work life, such as the establishment of a parental insurance scheme combined with an extensive system of public child and old age care and improved rules on parental benefits. It further notes that the State party plans to reintroduce a mandatory annual pay survey. However, the Committee is concerned at the continued horizontal and vertical occupational segregation, with women concentrated in part time work, predominantly for family reasons, and the persistent gender pay gap, which adversely affects women's career development and pension benefits. It further regrets that 75% of parental leave is still taken by women and that migrant women, women belonging to minorities, refugee women and women with disabilities have limited access to the labour market. The Committee notes that the State party did not ratify the International Labour Organization Convention no. 189 (2010) concerning decent work for domestic workers. In addition, while welcoming the adoption of the Action Plan on Business and Human Rights in 2015, the Committee is, nevertheless, concerned at the limited impact on the activities of Swedish companies operating abroad until now.

35. The Committee recommends that the State party intensify its efforts to ensure equal opportunities for women in the labour market, including traditionally male-dominated sectors, such as information technologies and science, create more opportunities for women to gain access to full-time employment, increase the incentives for men to use their right to parental leave and take specific and proactive measures to eliminate occupational segregation and to reduce the gender pay gap. The State party should take into account the needs of disadvantaged groups of women and consider the use of temporary special measures, such as financial incentives, in this regard. The Committee recommends that the State party ratify the International Labour Organization Convention no. 189 (2010) concerning decent work for domestic workers. It further recommends that the State party uphold its due diligence obligations to ensure that companies under the its jurisdiction or control respect, protect and fulfil women's human rights when operating abroad.

Health

36. The Committee acknowledges that there is comprehensive health coverage in the State party. Nevertheless, it is concerned that mental illness and drug and alcohol use have increased, especially among young women. It is also concerned that work-related illness and sick leave is higher among women. In addition, the Committee expresses concern that the health needs of women with disabilities are not sufficiently identified and addressed and that women belonging to minorities and migrant women sometimes encounter difficulties in accessing sexual and reproductive health services and information.

37. The Committee recommends that the State party:

(a) Increase its efforts, including through the allocation of additional resources, to address the deteriorating mental health situation of women and girls, and the abuse of alcohol and drugs, with a particular focus on adopting preventive measures;

(b) Further analyse the root causes for the increase in work-related illness and sick leave among women, to adopt structural solutions;

(c) Pay special attention to the health needs of women with disabilities, ensuring their inclusive access to support services such as rehabilitation and psychosocial care;

(d) Ensure that all women and girls, including those belonging to disadvantaged and marginalized groups, have free access to adequate sexual and reproductive health services.

Convention on the Right of Persons with Disabilities – Concluding observations 2014

[*UN OHCHR website link, Treaty bodies database*](#)

Work and employment (art. 27)

49. The Committee is concerned that the trends in the employment of persons with disabilities are controversial. The recent trends are unclear, but, over all, unemployment is higher for persons with disabilities than for the general population. Promising achievements have been made with respect to support for personal assistants and the support provided by the public employment service; however, the 100 per cent increase in the number of registered unemployed persons with disabilities since 2008, due to changes in the insurance scheme, is quite alarming. The Committee is also concerned that, with respect to employment and income, a significant gender gap remains between women with disabilities and men with disabilities.

50. **The Committee recommends that the State party take measures to improve opportunities for persons with disabilities to obtain work on the basis of the report presented by the FunkA Inquiry (FunkA-utredning). It further suggests that the State party increase measures of support, including, inter alia, personal assistance in employment, technical assistance in performing in the workplace, reduced social fees, financial support to employers, rehabilitation and vocational training, and that it put in place measures to narrow the employment and pay gender gap. The Committee recommends that the State party assess the impact of the use in the labour market of the term “people with reduced capacities or limitations” to refer to persons with disabilities, and revise it in accordance with the principle of non-discrimination.**

2. Council of Europe

European Social Charter

[*Official website of the European Social Charter, link to conclusions*](#)

Article 1 - Right to work - Conclusions 2012

Paragraph 1 - Policy of full employment

Employment policy

As regards the activation rate of unemployed persons, the report indicates that in 2010 out of all the persons who were enrolled in the Public Employment Service, 47% were active in some form of labour market programme. According to Eurostat, public expenditure on active labour market policies in Sweden amounted to 1.08 % of GDP in 2009, above the average public spending on active labour market measures in the EU-27 that year which was 0.78%.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 1§1 of the Charter.

Paragraph 3 - Free placement services

As regards the number of vacancies registered by the Public Employment Service, in 2010 there were 532,000 vacancies notified (about one third of the total number of vacancies in the economy). The report states that the placement rate that year was 95%. However, it also indicates that the figure might be somewhat misleading (and only partly related to the success of the services provided), since the fact that the person leaves the Public Employment Service for work does not necessarily mean that the vacancy was reported to the Public Employment Service in the first place.

The report mentions that in 2010 two thirds of the vacancies reported to the Public Employment Service were registered for a period between two and four weeks.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 1§3 of the Charter.

Article 3 - Right to safe and healthy working conditions - Conclusions 2013

Paragraph 1 - Safety and health regulations

The Committee asks for information in the next report on whether this policy is regularly re-assessed in light of changing risks.

The Committee asks for detailed information about the contribution of the bodies cited above to sectoral risk analysis, the preparation of rules of conduct and recommendations, and training courses.

The Committee asks for updated information on the consultation of bodies with responsibility for occupational health and safety issues at company level.

Conclusion

Pending receipt of the requested information, the Committee concludes that the situation in Sweden is in conformity with Article 3§1 of the Charter.

Paragraph 2 - Safety and health regulations

The Committee asks for information in the next report on employers' obligation to assess occupational risks in the workplace and on the time limits set for compliance. In order to determine whether the level set by international reference standards has been reached, it also asks what steps have been taken to implement Directive 2009/104/EC of the European Parliament and of the Council of 16 September 2009 concerning the minimum safety and health requirements for the use of work equipment by workers at work.

Conclusion

Pending receipt of the information requested, the Committee concludes that the situation in Sweden is in conformity with Article 3§2 of the Charter.

Paragraph 3 - Enforcement of safety and health regulations

The Committee takes note of the information contained in the report submitted by Sweden.

Occupational accidents and diseases

The Committee previously concluded (Conclusions 2003, 2007 and 2009) that the level of occupational accidents and diseases was in conformity with Article 3§3 of the Charter.

According to EUROSTAT data, the number of accidents at work (excluding commuting accidents) declined overall during the reference period (from 21 688 in 2008 to 20 031 in 2010), as did the incidence rate for these accidents (from 880.81 in 2008 to 848.04 in 2010). This rate is significantly lower than the average observed in the EU-15 and the EU-27 (from 2 269.42 in 2008 to 1 582.71 in 2010). The number of fatal accidents also decreased (from 42 in 2008 to 35 in 2010), as did the incidence for these accidents (from 1.85 in 2008 to 1.39 in 2010). This remains lower than the average incidence observed in the EU-15 and the EU-27 (from 2.27 in 2008 to 1.87 in 2010). The report gives noticeably different figures for the number of fatal accidents (67 in 2008 and 54 in 2010) and the incidence rate for these accidents (1.50 in 2008 and 1.30 in 2010).

The report does not contain any information on occupational diseases. According to another official source, cases of occupational disease continued to decline over the reference period (from 10 407 in 2008 to 9 075 in 2010), in line with the previous trend.

The Committee takes note of this information. It asks that the next report explain the discrepancy between the figures on fatal accidents given in the report and those published by EUROSTAT. In view of the low number of occupational accidents reported, it also asks for an estimate of the number of occupational accidents that might have gone unreported.

Conclusion

Pending receipt of the information requested, the Committee concludes that the situation in Sweden is in conformity with Article 3§3 of the Charter.

Article 4 - Right to a fair remuneration – Conclusions 2014

Paragraph 1 - Decent remuneration

The Committee takes note of the information contained in the report submitted by Sweden. It previously concluded (Conclusions 2010) that the situation in Sweden was in conformity with Article 4§1 of the Charter.

The report explains that in the absence of legislation on a statutory minimum wage, minimum wages are established by sector according to age, length of service or experience by means of collective agreements. According to the 2013 annual report by the Swedish National Mediation Office (Medlingsinstitutet: Avtalsrörelsen och lönebildningen 2013, Stockholm: Medlingsinstitutet 2013, p. 32), the coverage rate of collective agreements in the private sector is 85%.

The report indicates an average gross monthly wage which was SEK 29 800 (€3 426 per month or €41 112 over 12 months) in 2012. As the average net monthly wage depends on income tax, which is determined by the municipality of which the worker is a resident, this figure is estimated at SEK 22 400 (€2 573 per month or €30 876 over 12 months). The monthly wage for earners in the 10th lowest percentile was 20 000 SEK (€2 297 per month or €27 564 over 12 months) gross and estimated to be 15 600 SEK (€1 792 per month and €21 504 over 12 months) net. Since, according to the report, wages are generally lowest in the trade sector, the minimum monthly wage for an employee aged 18 set out in the collective agreement that applied for this sector was SEK 18 185 (€2 089 per month or €25 068 over 12 months) gross and hence about SEK 14 300 (€1 643 per month and €19 716 over 12 months) net.

According to EUROSTAT data for 2012 (table "earn_nt_net"), the average gross annual income for single workers without children (100% of the average worker) was €44 495.64 gross and €33 422.46 net.

The Committee notes that the lowest wage paid in the trade sector amounts to 63.84% of the average net wage, a remuneration which is higher than 60% of the average net wage and hence decent within the meaning of Article 4§1 of the Charter. The Committee asks that the next report provide information on remuneration in sectors or professions not covered by collective agreements, as well as in the national, regional and municipal civil service (civil servants and contractual staff).

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 4§1 of the Charter.

Article 8 - Right of employed women to protection of maternity – Conclusions 2015

Paragraph 1 - Maternity leave

The Committee takes note of the information contained in the report submitted by Sweden.

Right to maternity leave

Maternity leave is guaranteed to all employed women, irrespective of how long they have been employed. Section 4 of the Parental Leave Act provides that "a female employee is entitled to

full leave in connection with her child's birth during a continuous period of at least seven weeks prior to the estimated time for delivery and seven weeks after the delivery". However, the law does not provide for six weeks compulsory post-natal leave, but only for two weeks compulsory leave to be taken before or after childbirth.

In this connection, the Committee considered that it should examine what legal safeguards exist to protect employees from any undue pressure to shorten their maternity leave and asked for further information in this respect, in particular as regards the safeguards enshrined in antidiscrimination legislation, existing agreements with social partners and collective agreements as well as, in general, the legal framework surrounding maternity (for instance, the existence of paid parental leave available to either parents at the end of the maternity leave).

The Committee noted in its previous conclusion that, according to a survey, 99% of women in Sweden use their whole maternity leave (the remaining 1% being on sick leave or having died during childbirth). It also noted that the Parental Leave Act (Section 22) provides sufficient protection against unfavourable treatment from an employer linked to maternity or parental leave. In addition, it noted that parental leave, which includes maternity leave, affords both parents a right to thirteen months' paid leave (80% of their previous income) to be shared between them as they wish and that the level of maternity benefits is of an adequate level to avoid economic pressure on women to return to work early (see below). In response to the Committee's question, the report indicates that, while there is no special agreement with social partners regarding postnatal leave, many collective agreements in both the public and the private sectors provide that the employer pays 10% extra under the ceiling (i.e., workers receive 90% income as parental benefit) and up to 90% above the ceiling. In the light of this information, the Committee considers that the situation is in conformity with Article 8§1 of the Charter.

Right to maternity benefits

The Committee notes from the report that parental benefit consists of two different kinds of compensation: 390 days are compensated at an income-related rate, corresponding to around 80% of the parent's sickness benefit qualifying income, up to a daily ceiling of SEK 944 (€106 at the rate of 31/12/2013), and 90 days are compensated at a flat rate of SEK 180 per day (€20). If a parent does not have a previous income, parental benefit is SEK 225 per day (€25). The Committee considers this level to be still adequate.

The Committee refers to its Statement of Interpretation on Article 8§1 (Conclusions 2015) and asks whether the minimum rate of maternity benefits corresponds at least to the poverty threshold, defined as 50% of the median equivalised income, calculated on the basis of the Eurostat at-risk-of-poverty threshold value.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 8§1 of the Charter.

Article 11 Right to protection of health – Conclusions 2013

Paragraph 1 - Removal of the causes of ill-health

Right of access to health care

The report mentions that a new Patient Safety Act was introduced on 1 January 2011 aimed at creating safer health care. A key aspect of the new legislation is that it should support patient empowerment. It also emphasizes the role of the health care provider in working systematically

to create an enabling environment to adequately prevent and manage adverse events. The Act also aims to facilitate and develop a system of reporting and managing adverse events. The National Board of Health and Welfare has been given the main responsibility for dealing with reporting at national level. The Committee wishes to be kept informed on the implementation of this new Act, mainly whether it has contributed to ensuring a higher standard of health care.

In March 2008 a proposal on a renewed public health policy was presented, stating that the government should find solutions for good health on equal terms for the entire population, namely that the public health situation be improved for those groups that are at most risk of ill health. The Committee asks if the new health policy measures have improved access to health for disadvantaged groups.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 11§1 of the Charter.

Paragraph 2 - Advisory and educational facilities

The report recalls that the overall public health goal focuses on the idea that the whole of society has a responsibility for and an impact on public health. The government has thus promoted cooperation between authorities and other stakeholders. A dialogue with the food industry took place. Moreover, a forum for national cooperation regarding health promotion will be established. The forum should consist of representatives from relevant authorities, organizations, sectors, professionals and the research community. An important and specific task for the forum will be to set the conditions for agreements between the state, the municipalities and the counties, private business and civil society covering common commitments on health promotion. The Committee asks the next report to include information on the activities undertaken by the forum to promote health.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 11§2 of the Charter.

Paragraph 3 - Prevention of diseases and accidents

The Committee notes that a major change since the last report is the bill "A Cohesive Strategy for Alcohol, Narcotic Drugs, Doping and Tobacco Policy", approved by the government on 22 December 2010 and adopted by the Parliament on 30 March 2011. The Committee wishes to be kept informed on the implementation of this new strategy and the results obtained in preventing the use of alcohol, drugs and smoking.

The Committee notes the detailed statistics on all other accidents (during leisure time, in the home environment, children injured outdoors or during school hours, accidents caused by animals). It wishes to receive information in the next report on the measures taken to prevent this type of accidents.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 11§3 of the Charter.

Article 12 Right to social security – Conclusions 2013

Paragraph 1 - Existence of a social security system

Adequacy of the benefits

The Committee notes from Eurostat that the at-risk-of-poverty rate calculated on the basis of the 50% median equivalised income stood at €938 in 2011.

Unemployment benefit

The Committee notes from MISSOC that the basic flat-rate unemployment benefit is financed by employers' contributions and covers those not voluntarily insured. Its level stood at, again, SEK 320 per day (€ 37) in 2010. In reply to the Committee's supplementary question regarding the average monthly amount of the basic unemployment benefit, plus additional benefits that a typical unemployed person might receive, the Government states that no statistical data are available that would show the average amount. However, unemployed person might receive housing benefits or social assistance. In the absence of indicators regarding the monthly minimum amount of unemployment benefit, together with the average amount of additional benefits, the Committee considers that it has not been established that the minimum level of unemployment benefit is adequate.

Old-age benefit

In its previous conclusion the Committee asked what additional benefits were available to person who received the minimum (guarantee) pension. In reply the Committee notes from the report that those who have not earned the minimum level of an income-based pension receive a guarantee pension financed from the central government to make up the deficiency. It amounts to 2.13 times the price base amount. The Committee understands that it amounted to 42 800 SEK x 2.13 or SEK 91 164 in 2011 (corresponding to €832 per month). Pensioners residing in Sweden who have a small or no old age pension are also guaranteed a reasonable standard of living through the maintenance support, such as compensation of housing costs (up to SEK 6 200 or €695). The Committee considers that the level of the guarantee pension together with other supplements is adequate.

Sickness benefit

In reply to the Committee's question regarding the minimum level of unemployment benefit, the Committee notes from the supplementary information provided by the Government that sickness benefit compensates for loss of income and is approximately 80% of the annual income. The Committee notes that the report fails to provide information about the minimum level of sickness benefit, together with other supplementary benefits as applicable. Therefore, the Committee considers that it has not been established that the situation is in conformity with the Charter.

Conclusion

The Committee concludes that the situation in Sweden is not in conformity with Article 12§1 of the Charter on the ground that it has not been established that the minimum levels of unemployment and sickness benefits are adequate.

Paragraph 1 - Existence of a social security system – Conclusions 2015

In application of the reporting system adopted by the Committee of Ministers at the 1196th meeting of the Ministers' Deputies on 2-3 April 2014, States were invited to report by 31 October 2014 on conclusions of non-conformity for repeated lack of information in Conclusions 2013.

The Committee takes note of the information submitted by Sweden in response to the conclusion that it had not been established that the minimum level of sickness benefits and unemployment benefit was adequate (Conclusions 2013, Sweden).

The Committee recalls that under Article 12§1 benefits provided within the different branches of social security, should be adequate and in particular income-substituting benefits should not be so low as to result in the beneficiaries falling into poverty. Moreover, the level of benefits should be such as to stand in reasonable proportion to the previous income and should not fall below the poverty threshold defined as 50% of the median equivalised income, as calculated on the basis of the Eurostat at-risk-of-poverty threshold value (Finnish Society of Social Rights v. Finland, Complaint No. 88/2012, decision on the merits of 9 September 2014, §§59-63).

As concerns the reliance on supplementary benefits, the Committee recalls that it is for the States Parties to prove that the supplementary benefits are effectively provided to all the persons concerned by social security benefits falling below the 50% threshold. Where the minimum level of an income-substituting benefit falls below 40% of median equivalised income, the Committee will not consider that its aggregation with other benefits can bring the situation into conformity and holds that it is manifestly inadequate (see Finnish Society of Social Rights v. Finland, Complaint No. 88/2012, op.cit., §64, and also Conclusions 2013, Finland, Article 12§1). It reiterates in this respect its longstanding view that reliance on supplementary benefits of a social assistance nature should not transform the social security system into a basic social assistance system (Statement of interpretation on Article 12, Conclusions XIV-1 (1998)).

The Government maintains its position that the Swedish social security system provides adequate financial support for sick persons and the unemployed in accordance with the requirements of the Charter. It also reiterates that no statistical data are available on minimum benefit levels taken together with the different supplementary benefits. Despite this absence of data the Government maintains that benefit levels should be viewed together with other "intertwined benefits" when evaluating the support provided to sick persons and the unemployed.

More specifically, with respect to sickness benefits the report states that the level depends on the individual's income and the normal level is 77.6% of the person's income from work. The Swedish wage setting system is based on collective agreements between employers' organisations and trade unions. There is no minimum wage set by law. As a consequence, there is no minimum level in the sickness benefit scheme. However, there is an exception: young individuals, aged 19–29 years, can be granted activity compensation (aktivitetsersättning) (a kind of temporary disability benefit), if their working capacity is lastingly reduced due to sickness. Activity compensation is not part of the sickness benefit scheme but a person who has reached the age limit for activity compensation and does not have an income qualifying for sickness benefit or an income that is below SEK 80,300 per year (€ 8,672), can receive sickness benefit in special cases (sjukpenning i särskilda fall). This benefit is paid for all seven days of the week at SEK 160 per day (€ 17).

Individuals who receive sickness benefit in special cases are also entitled to a special supplementary housing allowance (boendetillägg). The size of this allowance depends on whether the individual is married or not and whether the individual has children. An unmarried recipient of sickness benefit in special cases receives SEK 84,000 per year (€ 9,068) in

supplementary housing allowance. A married person can receive SEK 42,000 per year (€ 4,534). The allowance is higher if a person has children: SEK 12,000 additionally per year (€ 1,275) if a person has one child, SEK 18,000 additionally per year (€ 1,913) if a person has two children and SEK 24,000 additionally per year (€ 2,550) if a person has three or more children. The amount of this supplementary housing allowance is not dependent on the individual's actual housing costs.

As regards normal sickness benefits, the Committee considers that the level of 77.6% of previous income may be regarded as reasonable in the meaning of Article 12§1 of the Charter. It nevertheless asks that the next report provide examples of typical normal sickness benefit rates for the lowest paid categories of full-time workers in the labour market (for example, unskilled manual workers) on a daily, weekly and monthly basis. It also requests clarification as to whether persons receiving normal sickness benefits may be entitled to receive any of the supplementary benefits referred to (housing allowances, social assistance, etc.) and under what conditions and circumstances, if possible illustrated by typical examples.

With respect to sickness benefit in special cases, the Committee considers that it is not a core social security benefit in the meaning of Article 12§1 as it is not an income replacement benefit, but is granted independently of any qualifying income to a special target group with little or no connection to the labour market. Consequently, the Committee will not assess the level of this benefit under Article 12§1, but reserves its position as to whether it may give rise to issues under other provisions of the Charter, such as Article 13 and Article 30.

As regards unemployment benefits, the report reiterates that it cannot provide information on the average monthly amount that a typical unemployed person might receive from the basic unemployment benefit (grundersättning) plus additional benefits. People covered by the basic insurance are paid a basic level of benefit per day, linked to the amount (of time) the job seeker worked prior to becoming unemployed. The highest basic level that can be paid per month is SEK 7,040 (€ 759). An unemployed person with two children will receive SEK 2,250 per month (€ 239) in child allowance. If the same person is a single parent he/she can receive maintenance allowance at SEK 2,546 per month (€ 271). This unemployed person will have a disposable income of approximately SEK 10,280 per month (€ 1,109). In addition, the unemployed person can receive housing allowance with the average monthly allowance for parents amounting to SEK 2,671 (€ 287) in 2014. However, this allowance is targeted at families with children and young persons aged 18 to 29.

The Government acknowledges that the housing allowance is not relevant for persons over 29 with no children, but it refers to the possibility that such persons could receive social assistance (försörjningsstöd). Anyone who is unable to provide for his or her needs or to obtain provision for them in any other way, is entitled to social assistance. The aim of the assistance is to ensure a reasonable standard of living. The monetary value of a reasonable standard of living for a single person household as defined by the applicable legislation corresponded to a yearly amount of SEK 104,160 in 2012 (€ 11,174) or about € 931 per month

The Committee considers that the basic unemployment benefit at its highest level of € 759 per month is manifestly inadequate as it corresponds to only about 34% of median equalised income (2013 figures). On this basis the Committee does not consider it necessary to consider the impact of any supplementary benefits.

Conclusion

The Committee concludes that the situation in Sweden is not in conformity with Article 12§1 of the Charter on the ground that the basic unemployment benefit is manifestly inadequate.

Paragraph 2 - Maintenance of a social security system at a satisfactory level at least equal to that necessary for the ratification of the European Code of Social Security

Sweden ratified the European Code of Social Security and its Protocol on 25 September 1965 and has accepted parts II-V and VII-X of the Code. The Committee notes from Resolution CM/ResCSS(2012)16 on the application of the European Code of Social Security and its Protocol by Sweden (period from 1 July 2010 to 30 June 2011) of the Council of Ministers that the law and practice in Sweden continue to give full effect to the parts of the Code and its Protocol which have been accepted, except Part IV where the waiting period for unemployment benefit exceeds the limit fixed by the Protocol.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 12§2 of the Charter.

Paragraph 3 - Development of the social security system

According to the report, the new Social Insurance Code entered into force on 1 January 2011. This Code replaced most of the existing laws in the social insurance field, except for unemployment. The Committee wishes to know what changes the code code has brought about, in terms of expansion of schemes, protection against new risks or increase of benefits. In case the code has resulted in a restrictive evolution in the social security system, the Committee asks for the reasons given for the changes, the extent of the changes introduced in terms of categories and number of people concerned and the necessity of the reform.

In its previous conclusion (Conclusions 2009) the Committee asked for more information regarding the amendments to the unemployment benefit system which had prompted low-income earners to opt out of insurance against this risk thus becoming the recipients of the basic unemployment benefit. In this regard the report states that in 2010 the Government appointed a cross-party parliamentary committee on sustainable sickness and unemployment insurances to consider ways of improving both systems in the long term. The aim is to introduce obligatory universal income insurance where those who has been employed and meet the work requirement shall be entitled to income-related benefit. Reforms in the unemployment insurance system will continue to have the aim of improving the functioning of the labour market and combating permanently high unemployment. The Committee wishes to be informed of the results.

Conclusion

Pending receipt of the information requested, the Committee concludes that the situation in Sweden is in conformity with Article 12§3 of the Charter.

Article 13 - Right to social and medical assistance – Conclusions 2013

Paragraph 1 - Adequate assistance for every person in need

Level of benefits

To assess the level of social assistance during the reference period, the Committee takes account of the following information:

- Basic benefit: the Committee notes from MISSOC that monthly social assistance amount covering expenditures on food, clothing and footwear, health and hygiene, daily

newspaper, telephone and television fee amounted to SEK 2 830 (€317) in 2011 for a single person.

- Additional benefits: the Committee notes from MISSOC that for common expenditures in the households a special amount is added to the basic benefit depending on the size of the household. A single person received €100 in 2011 and that on top of these amounts, support can also be provided for reasonable expenditures on housing, domestic electricity supply, travel to and from work, household insurance, membership of a trade union and unemployment insurance fund.
- Medical assistance: the Committee notes that there have been no changes to the situation which was previously found to be in conformity, the patient participation for health care, dental services and the purchase of glasses can be covered by the social assistance.
- Poverty threshold (defined as 50% of median equivalised income and as calculated on the basis of the Eurostat at-risk-of poverty threshold value): it was estimated at €938 in 2011.

According to the report, the national standard (person and household expenses, including livelihood support plus costs covering housing, electricity and home insurance) benefit in 2011 amounted to SEK 8 500 (€946). In the light of these data, the Committee considers that the level of social assistance is adequate.

Personal scope

The Committee noted in its previous conclusion (Conclusions 2009) that social assistance is provided to all persons with a right to stay in the country. In response to the Committee's question, the report clarifies that no length of residence requirement applies; everyone staying in (or passing by) a Swedish municipality is eligible for social assistance and is entitled to emergency support if his/her need cannot be met in any other way, regardless of the nationality, residence status, length and regularity of stay. The Committee recalls that under Article 13§1 equality of treatment of foreign nationals legally resident in the state concerned should be guaranteed in the matters such as access to assistance. This implies that entitlement to assistance benefits, including income guarantees, is not confined in law to nationals or to certain categories of foreigners and that additional conditions such as length of residence, or conditions which are harder for foreigners to meet may not be imposed on them. In view of this, the Committee asks the next report to confirm that all legal residents are not only entitled to emergency assistance, but to the full range of social and medical assistance available to nationals. In the meantime the Committee reserves its position on this point.

Conclusion

Pending receipt of the information requested, the Committee concludes that the situation in Sweden is in conformity with Article 13§1 of the Charter.

Paragraph 3 - Prevention, abolition or alleviation of need

The support provided includes help in budget planning, working with the debtor's individual behaviour, negotiating with creditors, assisting debtors during the debt clearance process, preventive work and administration. It appears from the report that the number of debt relief applications introduced and approved has increased during the reference period. The Committee takes note of the comprehensive information provided, it requests the next report to continue to provide updated information and concludes that the situation is in conformity with Article 13§3 of the Charter.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 13§3 of the Charter.

Article 14 - Right to benefit from social services – Conclusions 2013

Paragraph 1 - Promotion or provision of social services

Organisation of the social services

In its previous conclusion, the Committee asked for information on specific services for children and young persons. The report does not reply to this request. The Committee therefore reiterates its question. Should the next report not provide the information requested, there will be nothing to establish that the situation is in conformity with Article 14§1.

Effective and equal access

Most social services are free of charge but municipalities may ask for a reasonable financial contribution for certain services. The amount of such contributions may not exceed the actual cost or what the beneficiary is able to pay without excessively affecting his or her ability to maintain a decent standard of living.

Quality of services

The supervisory and authorisation activities described in particular in the Social Services Act were transferred on 1 January 2010 from the County Administrative Boards to the National Board of Health and Welfare. The supervisory authorities powers were also extended to include injunctions, prohibitions, withdrawal of authorisation and inspection. The Committee asks what impact these reforms have had on the supervision carried out.

Conclusion

Pending receipt of the information requested, the Committee concludes that the situation in Sweden is in conformity with Article 14§1 of the Charter.

Paragraph 2 - Public participation in the establishment and maintenance of social services

The Committee notes from the report that there are no statistics on the number of volunteers providing social services. It points out that the States Parties must, among other things, monitor the quality of services provided and this implies that they must know which voluntary organisations are involved. The Committee asks therefore how many voluntary organisations provide social services and how many volunteers there are in total, or at least for an estimate of these numbers. More generally, the Committee asks for the next report to provide a detailed, up-to-date description of the situation in law and in practice concerning the participation of individuals and voluntary and other organisations, in particular private providers, in the establishment or maintenance of social services.

Conclusion

Pending receipt of the requested information, the Committee concludes that the situation in Sweden is in conformity with Article 14§2 of the Charter.

Article 15 - Right of persons with disabilities to independence, social integration and participation in the life of the community – Conclusions 2012

Paragraph 1 - Education and training for persons with disabilities

In 2011, the Swedish National Agency for Higher Vocational Education presented a report on how the agency can develop and support vocational education for students with disabilities, including persons with intellectual impairment. The report is currently under consideration in the Government offices. The Committee asks the next report to inform it about the results of this initiative.

The Government supports the municipalities with means to develop adult vocational training and apprentice education for adults. Starting in 2011, these means can also be used by the municipalities for persons with intellectual impairment. The Committee asks the next report to inform it about the results of this initiative.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 15§1 of the Charter.

Paragraph 2 - Employment of persons with disabilities

The Committee asked if the reasonable accommodation obligation has prompted an increase in employment of persons with disabilities in the open labour market. The report being silent on this issue, the Committee reiterates its question.

To better assess the measures of encouragement regarding the employment of persons with disabilities, the Committee wishes to be informed on the number of persons with disabilities in ordinary employment and in sheltered employment. Moreover, the Committee asks whether the basic provisions of labour law applies to persons working in sheltered employment where production is the main activity.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 15§2 of the Charter.

Paragraph 3 - Integration and participation of persons with disabilities in the life of the community

In January 2009, Sweden ratified the UN Convention on the Rights of Persons with Disabilities. The report indicates that the Government subsequently launched a new disability strategy based on this Convention. This strategy focuses on nine priority areas for the coming five-year period (2011-2016): physical accessibility, IT policy, social policy, education policy, the judicial system, transport policy, public health policy, and culture, media and sport policy. For each of these areas, the aim is to define guidelines and make sure that the measures taken are properly implemented, coordinated, consolidated and monitored in order to develop a strong disability policy. The Committee welcomes the new disability strategy and asks the next report to give information on the results achieved.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 15§3 of the Charter.

Article 16 - Right of the family to social, legal and economic protection – Conclusions 2015

Family benefits

According to Eurostat data, the monthly median equivalised income in 2013 was €2,201. According to MISSOC, the monthly amounts of child benefit was €114 for the first child, €130 for the 2nd child, €180 for the 3rd child, €289 for the 4th child, etc. Child benefit represented a percentage of that income as follows: 5.1% for the first child, 6% for the 2nd child, 8.1% for the 3rd child and 13% for the 4th child, etc.

The Committee considers that, in order to comply with Article 16, child benefit must constitute an adequate income supplement, which is the case when it represents a significant percentage of the monthly median equivalised income. On the basis of the figures indicated, the Committee considers that the amount of benefits is compatible with the Charter.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 16 of the Charter.

Article 23 - Right of the elderly to social protection – Conclusions 2013

Legislative framework

In its previous conclusion (Conclusion 2009), the Committee noted that the new Discrimination Act of 2009 extended the protection against age-discrimination outside the employment field, namely to educational activities. However, the Committee considered that the scope of the legislative framework was not sufficiently wide, as it did not ensure protection in such other areas as the provision of goods, services and housing, as well as health and medical care, social services or social insurance. The Committee notes that this legal framework has not been changed during the reference period. The Committee recalls that the prohibition of discrimination based on age should be progressively expanded to include also the areas of social security, health care, and the provision of goods and services. The Committee notes from the report that such an extension is envisaged in a draft Government Bill submitted to the Parliament in 2012. The Committee wishes to be informed of the outcome of this proposal. In the meantime, it maintains its negative conclusion on this point. The Committee asks for information on the legal framework related to assisted decision-making for the elderly, and, in particular, whether there are safeguards to prevent the arbitrary deprivation of autonomous decision-making by elderly persons. In this respect, the Committee refers to its statement of interpretation in the General Introduction.

Adequate resources

The public old-age pension system (ålderspension) is a compulsory and universal scheme consisting of three parts: the earnings-related old-age pension (inkomstpension) and the earnings-related supplementary pension (tilläggs pension), financed by contributions on a "pay-as-you-go"-basis; the fully funded premium reserve pension (premiepension) with individual accounts; as well as the tax-financed guaranteed pension (garantipension) for all residents with low or no income-related old-age pension (income pension, premium pension,

supplementary pension). The guarantee pension is based on the years of residence in Sweden, 40 years of residence being required to receive a full pension. The guarantee pension is reduced by the income-related old-age pension benefits, as it is aimed to complement them. A full, unreduced guarantee pension amounts to SEK 7 810 a month (2012) or €875 for a single person. The guarantee pension is price-indexed and taxable, and is financed from the Central Government's budget. According to MISSOC, in 2011, the guarantee pension amounted to SEK 91 164 (€9 987) per year for a single person (approx. €832 per month in 2011).

Those who do not fulfil the requirements of the guarantee pension are eligible for a maintenance support for the elderly (äldreförsörjningsstöd), when above the age of 65. The amount of the support depends on the beneficiary's income, housing costs and capital. The maintenance support guarantees a reasonable standard of living after housing costs are paid and it is taxfree. There are also different housing supplements available: the housing supplement for pensioners, which is means-tested and amounts to 93% of housing costs up to SEK 5 000 (approx. €560) a month for a single person (i.e. the highest housing supplement that may be disbursed is SEK 4 990 a month for a single pensioner) and the special housing supplement, granted to pensioners whose income after deduction for tax and reasonable housing costs is under an acceptable level (of a standard of living). A reasonable housing cost is at most SEK 6 200 a month for a single person. The established reasonable standard after housing costs and tax have been paid corresponds to about SEK 4 967 a month in 2012 for a single person (approx. €560). These benefits are tax-free.

The poverty threshold, defined as 50% of the median equivalised income and as calculated on the basis of the Eurostat at-risk-of poverty threshold value, was estimated at €938 per month in Sweden in 2011. The Committee considers that the level of the guaranteed resources, taken together with the available supplements, as well as the low costs of health care, conform with the requirements of the Charter. However, the Committee further notes from Eurostat that in 2011, 2.1% of persons aged 65 and over received an income falling below 40% of the median equivalised income (compared to 1.3% in 2010 and 2007). The Committee therefore asks the Government to explain why this group of persons do not qualify for the minimum guarantees described above and requests information on what specific measures are taken to address their situation. Pending receipt of this information, the Committee reserves its opinion on this point.

Conclusion

The Committee concludes that the situation in Sweden is not in conformity with Article 23 of the Charter on the ground that the scope of the legal framework to combat age-discrimination outside employment is not sufficiently wide.

Article 27 - Right of workers with family responsibilities to equal opportunity and treatment – Conclusions 2015

Paragraph 1 - Participation in working life

The Committee takes note of the information contained in the report submitted by Sweden.

Conditions of employment, social security

The Committee notes that the situation which it has previously found to be in conformity with the Charter has not changed.

Child day care services and other childcare arrangements

Under the Education Act municipalities are obliged to provide preschool and out of school centres for children aged 1–12 years to the extent necessary in order to allow for parents to be gainfully employed or study or if the child has its own need of the activity. The obligation also comprises preschool for children whose parents are unemployed or on parental leave for a sibling. These children must be offered a place in preschool at least three hours a day or 15 hours a week. Municipalities may also provide pedagogical care (e.g. family day care), instead of preschool according to the parents' choice.

The municipalities have an obligation to organise universal preschool to all children from the autumn term of the year the child reaches the age of three.

In 2013 preschool and pedagogical care comprised 87% of all 1–5-year-olds. Over 506,000 children were in preschool education and pedagogical care in 2013, where approximately 105,000 adults are employed. In 2013 the total cost of preschool was SEK 59.8 billion (€ 6.5 billion) . The number of children per worker was 5.3 children.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 27§1 of the Charter.

Article 30 - Right to be protected against poverty and social exclusion – Conclusions 2013

Measuring poverty and social exclusion

The Committee notes from Eurostat that in 2011, 16.1% of the population was at risk of poverty and social exclusion, which rate stands below the average indicator of the EU countries (23.4%).

Approach to combating poverty and social exclusion

The report states that the Swedish welfare system has not changed during the period, to which this report refers. It states that boosting the employment has been the Government's top priority for a long time, as well as the main strategy for inclusion and fighting poverty.

In 2011, the cost of the financial family policy was 72 billion SEK (€8.1 billion). In 2011, there were 418 000 recipients of financial assistance (4.4% of the population). 23% of all singlemothers households received this assistance.

Monitoring and assessment

The legal framework is implemented through the Swedish Social Insurance Agency concerning social insurance, the Swedish Pensions Agency regarding pensions, as well as through municipalities concerning financial assistance. Coordinated rehabilitation measures for people in a vulnerable situation have been managed by the social services, the health and medical care system, the Swedish Social Insurance Administration and the Public Employment Service. In a little more than two-thirds of Sweden's municipalities, these agencies have implemented such initiatives through coordinating organisations.

Conclusion

The Committee concludes that the situation in Sweden is in conformity with Article 30 of the Charter.

European Code of Social Security

Resolution CM/ResCSS(2015)18 on the application of the European Code of Social Security and its Protocol by Sweden

(Period from 1 July 2013 to 30 June 2014)

(Adopted by the Committee of Ministers on 10 September 2015 at the 1234th meeting of the Ministers' Deputies)

[Link to adopted by the Committee of Ministers resolutions](#)

The Committee of Ministers notes:

I. concerning Part IV (Unemployment benefit), Article 24(4) of the Code, as amended by the Protocol, Waiting period, that the government does not report any measures taken or contemplated to bring the national legislation into conformity with the Protocol by reducing the waiting period for unemployment benefit to the first six calendar days within a period of 12 months;

II. concerning Part XI (Standards to be complied with by periodical payments), Articles 65 and 66, Determination of the reference wage, that according to the 44th detailed report (2011) of the government, the reference wage used by the government to calculate the replacement level of benefits under Parts III, IV, V, VIII, IX and X of the Code is determined under Article 65 as 125 per cent of the average yearly income based on monthly income for manual workers (men and women altogether) in the private sector. The Committee of Ministers points out that the method used in determining the reference wage does not correspond to any of the options allowed by Article 65, though the resulting wage comes close to the option stipulated in its paragraph 6(c) – 125 per cent of the average earnings of all the persons protected. With regard to Part VII where the total value of family benefits is calculated by reference to the wage of an ordinary adult male labourer under Article 66 of the Code, no such information was included in the 44th report;

III. concerning social security and the reduction of poverty, that, while the main poverty indicators in Sweden are below the EU average, many show a negative trend in 2013. Also, while the average level of earnings in the country is relatively high when compared to the at-risk-of-poverty level, the guaranteed minimum social security benefits (minimum guaranteed income, basic unemployment benefit, widow's pension) are in some cases close to the severe poverty threshold;

Finds that the law and practice in Sweden continue to give full effect to the Parts of the Code and the Protocol which have been accepted, except Part IV where the waiting period for unemployment benefit shall be reduced by one day;

Decides to invite the Government of Sweden:

I. concerning Part IV (Unemployment benefit), Article 24(4) of the Code, as amended by the Protocol, Waiting period, to detail the above-mentioned measures in its next report;

II. concerning Part XI (Standards to be complied with by periodical payments), Articles 65 and 66, Determination of the reference wage, to review in its next report the method it is using for determining the reference wage of the standard beneficiary under Articles 65 and 66 of the Code and to recalculate, in its next detailed report, the replacement level of benefits provided under each accepted Part of the Code. In doing so, the government may wish to refer to the

above-mentioned "Technical note" which calculates for Sweden all the options allowed by the Code for the same time period (2010) for which all complete and relevant Eurostat data are available. The government is asked to update the statistical information used in the "Technical note", indicating the precise source of data for future reference;

III. concerning social security and the reduction of poverty, in view of the fact that prevention and reduction of poverty is one of the main objectives of the Code, to send in its next report the most recent and comprehensive statistics on the structure and dynamics of poverty in the country, including among the active population, pensioners and children, and on the guaranteed minimum amounts of social benefits in comparison with the established poverty line. In doing so, the government may wish to refer to the infographs in the above-mentioned "Technical note" and update the statistical and legal information on which they are based.

CEACR 2015 Conclusions on the application of the European Code of Social Security and its Protocol by Sweden

As a result of its examination, the Committee finds that the law and practice in Sweden continue to give full effect to the Parts of the Code and the Protocol which have been accepted, subject to reducing the waiting period for unemployment benefit by one day.

Part III (Sickness benefit) and Part IX (Invalidity benefit). According to the report, the maximum sickness benefit for unemployed will be raised from SEK486 to SEK543 per day; the Government also intends to abolish the time limit for how long sickness benefit can be paid. As of 1 April 2015, a new paragraph 4 was added to Ordinance 2000:1418 with a view to protect the Sickness Benefit Qualifying Income (SGI) of the person whose Activity Grant/Development Allowances have been withdrawn by the Swedish Employment Agency, which can exclude participants from the labour market programmes if they do not comply with the rules. ***Recalling that sickness, invalidity and unemployment benefit schemes are subjected to the common labour market activation rules with a view to increase the employment rate, the Committee asks the Government to explain the present state of interaction between these insurance branches and the regime of sanctions applied in this respect.***

Part IV (Unemployment benefit), Article 24(4) of the Code, as amended by the Protocol. Waiting period. With respect to the measures taken or contemplated to reduce the waiting period for unemployment benefit to the first six calendar days, the Government states that it has prioritized to raise the highest daily benefit in the income-related insurance as well as in the basic insurance. As from 7 September 2015, the basic amount will be SEK365 instead of SEK320, while the highest amount of the income-related insurance will be SEK910 instead of SEK680 for the first 100 days of unemployment benefit and SEK760 thereafter. However, while strengthening the economic security during unemployment, these measures left no financial possibilities to carry out more reforms within the unemployment insurance. ***Taking due note of this statement, the Committee nevertheless asks the Government to specify when it intends to prioritize the fulfilment of its international obligations under Part IV of the Code and what financial and other conditions, besides the 2015 Resolution to that end adopted by the Committee of Ministers on the application of the Code by Sweden, should come together for this to happen.***

Part XI (Standards to be complied with by periodical payments), Articles 65 and 66. Reference wage. The Committee takes due note of the Government's statement that to determine the reference wage of the standard beneficiary used for calculating the replacement

level of benefits under articles 65–66, Sweden will use option 2 (Art. 65(6)(b)) and option 4 (Art. 66(4)(a)) and will follow the method shown in the ILO technical note: the wage will be determined by cross-tabulating two classifications in the Eurostat Structure of Earning Survey (SES) ISCO 08 (group 7 – skilled, and group 9 – ordinary workers) and ISIC rev.4 (C – manufacturing). The wage data will be taken from Eurostat SES, which is produced every fourth year, and from Sweden Statistics for other years.

Adjustment of benefits to the cost of living. **The Committee asks the Government to explain its policy of maintaining the purchasing power of the long-term benefits in payment and giving the pensioners a fair share of the growth of the national economy. Please include in the next detailed report full information and statistics on the adjustment of benefits under Parts V, IX and X for the period 2011–16 requested in the Report Form on the Code under Title VI of Article 65.**

Adequacy of social security benefits. In reply to the request concerning the most recent and comprehensive statistics on the structure and dynamics of poverty in the country, the Government refers to some commonly agreed EU indicators in the area of social inclusion and social protection and to the 2015 European Commission’s country report and the country specific recommendation to Sweden, which noted that Sweden generally has low levels of social exclusion and poverty in comparison with the EU average. The Committee notes from the Government’s report that although poverty indicators in Sweden are well below the EU average, the relative at-risk-of-poverty rate has increased in Sweden over the last decade, which may be indicative of the fact that the amounts of the lowest or minimum benefits provided by the national social security system are insufficient to prevent poverty. As the Government rightly points out, in the Code “the protection is defined by specific regulations concerning minimum levels of benefits, allowances, etc.” In order to assess the adequacy of these benefits and allowances, the Committee of Ministers has requested the Government to indicate the guaranteed minimum amounts of benefits in comparison with the established poverty line. In reply, the Government states that the request of the Committee this time is not in the line of the Code and its *Article 74*, which limits the reporting to the condition of the Code. According to Sweden, the Code contains no general responsibilities concerning the level of protection; it is important that States, which consider ratifying the Code, know what kind of responsibility they thereby shoulder. The Committee recalls in this respect that, in accordance with *Article 70(3)* of the Code, the Contracting Party concerned “shall accept general responsibility for the due provision of the benefits provided in compliance with the Code” at the level of protection established by Part XI (Standards to be complied with by periodical payments), which shall be sufficient to maintain the beneficiary and his family in health and decency (*Article 67(c)*). Taking these obligations in reverse order, the Committee of Ministers has considered that if the benefits provided in compliance with the Code are insufficient to maintain their beneficiaries above the national poverty line, the State may be seen as failing to fulfil its general responsibility under *Article 70(3)* of the Code. With regard to reporting obligations under *Article 74* of the Code, the Committee refers the Government to paragraph 2 of this Article, which obliges each Contracting Party to furnish to the Secretary-General, if so requested by him (or the Committee of Ministers), further information of the manner in which it has implemented the provisions of the Code covered by its ratification. **Consequently, the Government should be once again asked to explain the design and assess the effectiveness of the national system of the lowest or minimum benefits and allowances provided in compliance with the Code.** In view of the complexity of indicators used to assess the adequacy of benefits, the Committee requested the ILO to summarize the relevant information in the country technical notes attached to its conclusions. **The Committee invites the Government to update and**

supplement the statistical information in the 2015 technical note in its next detailed report, which shall also include for the same time basis (see Article 65(4) of the Code) evidence of compliance with the statistical conditions specified in Article 74(1)(b)(i)(ii) with respect to the social security coverage, amount of the reference wage and calculations of the replacement rate of benefits. The Committee will examine the question of the adequacy of social security benefits, including their lowest or minimum amounts, provided in compliance with the accepted Parts of the Code on the basis of this information and the discussion on the role of social security in the reduction of poverty, which is scheduled to take place in the Governmental Committee of the European Social Charter and the European Code of Social Security in May 2016.

Article 74. Next detailed report on the Code. (See above under Chapter III)

3. ILO Conventions

Social Security (Minimum Standards) Convention, 1952 (No. 102) - Sweden (*Ratification: 1953*)

Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012) - due in 2016

[Link to pending comments by the ILO supervisory bodies, NORMLEX](#)

Part VII. Article 44 of the Convention (Family benefit). The Committee notes from the 44th annual report on the application of the European Code of Social Security that the child allowance (*allmänt barnbidrag*) is a tax-financed universal scheme covering all children resident in Sweden providing a flat-rate benefit and a supplement for large families. The benefit consists of periodical payments until the child is 16 years old. A similar allowance is given for children in upper secondary schools. The child allowance is 12,600 Swedish krona (SEK) per child and year (SEK1,050 per month). In case of two or more children, an additional benefit is paid amounting to SEK1,800 per year (SEK150 per month) for the second child. The total amount of child allowance paid in 2009 by the Social Insurance Agency was SEK23,400,000. **The Committee would like the Government to show in its next report that this amount attains the level required by Article 44 of the Convention.** The Committee also wishes to point out that benefits provided by the parental insurance in Sweden do not fall under the definition of the family benefit given in *Article 40* of the Convention.

Part VIII (Maternity benefit). The Committee notes from the 44th annual report on the application of the European Code of Social Security that female employees and self-employed are covered by the pregnancy benefit scheme and can be entitled to pregnancy benefit (*graviditetspenning*). A woman is entitled to pregnancy benefit if she has a physically strenuous job and her work capacity has been reduced by at least a quarter due to pregnancy. She is also entitled to pregnancy benefit if she has a work which she may not perform due to risks in the working environment, but she can only receive pregnancy benefit if her employer cannot transfer her to lighter or less risky work. A woman receiving pregnancy benefit due to physically strenuous work can receive the benefit for at most 50 days, at the earliest from the 60th day before the expected delivery date. In case she has been prohibited from continuing her work due to risks in her working environment, she receives pregnancy benefit for every day the prohibition applies. However, pregnancy benefit is paid at the longest until and including the 11th day before the expected delivery date. The amount of pregnancy benefit the woman can benefit from per day depends on how much her work capacity has been reduced. The benefit is paid in four different levels; a quarter, a half, three-quarters, or a full benefit, which ensures the same replacement level as the sickness benefit (73 per cent in 2010 according to the calculations given in the report).

The Committee further notes, from the fact sheet on Swedish family policy appended to the report on Convention No. 102, that female employees are entitled to a parental benefit, which is payable to the child's mother or father for a total of 480 days and may be granted to the mother at the earliest 60 days before the expected date of confinement, the rest being taken by either of the parents until the child is 8 years old. Parents sharing custody of the child are entitled to half of the total number of benefit days each. This right can be transferred to the other parent with the exception of 60 benefit days that are reserved exclusively for each of the parents; 390 days

of the parental benefit, including 60 reserved days, are paid at the level of the sickness benefit; the remaining 90 days are paid at the minimum rate of SEK180 per day.

The Committee understands that Part VIII of the Convention is applied in Sweden by the complex mix of the pregnancy benefit and the parental benefit. ***It would therefore like the Government to show in its next report, on the basis of practical examples, that the maternity cash benefit at the level specified in Article 50 of the Convention will be in fact granted to all women protected throughout the whole period of abstention from work due to pregnancy and confinement and their consequences authorised by national laws or regulations.***

Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121) - Sweden (Ratification: 1969)

Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012) - due in 2016

[Link to pending comments by the ILO supervisory bodies, NORMLEX](#)

The Committee notes that the Government's detailed report contains statistical data and calculations required under *Articles 4, 13, 18, 21 and 26 of the Convention*. ***The Committee invites the Government to include in its next report detailed information requested in the report form on the status of application in law and practice of the provisions of the following Articles of the Convention: 8 (list of occupational diseases); 9 (conditions of entitlement to benefits); 11 (offsetting of the cost of medical care); 14 (prescribed degrees of incapacity); 15 (lump sum compensation); 16 (helper's allowance), 17 (review of incapacity); 22 (grounds for the suspension of benefits); and 26 (prevention, rehabilitation and placement services).***

Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168) - Sweden (Ratification: 1990)

Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012) - due in 2016

[Link to pending comments by the ILO supervisory bodies, NORMLEX](#)

Article 3 of the Convention. Consultations and cooperation with organizations of employers and workers. The Committee notes that a number of measures have been taken during the reporting period such as, for example, legislation to promote employment for refugees and new provisions on unemployment benefits for part-time workers (1 January 2009 and 5 July 2010) and self-employed persons (5 July 2010). ***In this connection, the Committee would like the Government to describe the manner in which the consultation and cooperation with the employers' and workers' organizations called for in Article 3 are ensured when implementing the provisions of the Convention in Sweden.***

Article 8(1). Employment promotion. The Committee notes that, since 1 December 2010, legislation has been adopted to promote the employment of refugees, and other persons in need of protection who hold a residence permit, and their family members who have applied for a residence permit within two years. ***The Committee would like the Government to specify***

whether special programmes exist for other identified categories of disadvantaged persons, such as those listed in Article 8(1) of the Convention, having or liable to have difficulties in finding lasting employment and, if this is the case, it invites the Government to describe these special programmes.

Article 10(3). Part-time work. In a message received on 26 September 2008, the Swedish Confederation of Professional Employees (TCO) and the Swedish Confederation of Professional Associations (SACO) state that the description given by the Government on the restriction on the number of days that unemployment benefits can be paid in the event of partial unemployment as a means to prevent people from being trapped in part-time employment, does not give the right picture. This reform puts all the responsibility and all the costs of part-time unemployment on the individual worker, while it should be the employers' responsibility to offer full-time work to those who wish to work full time. The Committee understands that unemployment benefits for persons who previously worked full time and who are looking for a full-time job but who were only able to find part-time work, have been reduced from 300 to 75 days on 7 April 2008, while in case the person remains fully unemployed, the period during which unemployment benefits are paid remain unchanged (maximum 300 days or 450 days for beneficiaries with a child under the age of 18). The person working part time may, after the expiry of these 75 days, either choose to continue working part time without receiving unemployment benefits or may resign from the part-time work and, if certain conditions are met, obtain unemployment benefits based on the income received from the part-time work for the remaining 225 days. The resignation from a part-time job after 75 days shall not be considered a reason to suspend unemployment benefits as it is the case for persons that left their full-time job without valid cause. According to the Government, its decision to reduce unemployment benefits from 300 to 75 days was aimed to encourage part-time workers to get full-time work. The Committee considers however that this decision may seriously undermine the incentives for the fully unemployed persons to take up part-time employment instead of remaining on full unemployment benefit. "Rewarding" unemployed persons for taking up part-time work by depriving them of the right to the full amount and duration of unemployment benefit which they have acquired in their previous employment would go against the logic of the Convention, which aims at offering additional protection against unemployment for part-time workers without reducing the level of protection guaranteed to full-time workers. The Committee wishes to refer in this regard to Paragraph 15 of Recommendation No. 176 which clearly states that, if an unemployed person has agreed to accept part-time work in the circumstances covered in Article 10(3) of the Convention, the level and duration of the unemployment benefit paid at the end of such employment should not be adversely affected by the earnings of the unemployed person from that employment. ***The Committee would like the Government to reconsider the situation in the light of the above social rationale of the Convention and its objective to promote employment, including part-time, by means of social security benefits, detaching itself from the purely financial objective of seeking immediate cuts in the overall cost of unemployment protection.***

Article 11. Persons protected. The Government states that it is difficult to estimate how many persons are actually covered by the income-related unemployment insurance since there is a lack of statistics on the membership of the unemployment insurance funds and estimates that about 3.4 million persons are members, assuming they are all entitled to benefits in the event of unemployment; and that there are about 1.3 million persons in the basic unemployment insurance, which covers persons that are not members of an unemployment insurance fund. In a letter dated 28 September 2011, the Ministry of Employment transmits a comment on these figures from the Swedish Confederation of Professional Associations (SACO) stating that the

number of 4.7 million persons covered by unemployment insurance compared to the 4.9 million persons of the Swedish workforce, is exaggerated since not all members of the unemployment insurance qualify for benefits. SACO observes that there is a problem in Sweden since the proportion of the unemployed that are entitled to benefits is falling and refers to a 2009 Report of the Swedish Unemployment Board (IAF) "Job seekers with and without unemployment benefits", according to which in 2008, the proportion was 55 per cent, and this downward trend has continued according to the Swedish Fiscal Policy Council Report of 2010 (p. 275). According to SACO, this reduction is due to the fact that students are not anymore eligible for benefits and benefits for part-time unemployed persons have been limited and benefits for full-time unemployed persons have been limited to maximum 300 days. In its 43rd report on the European Code of Social Security in 2010, the Government reported the substantial drop in the number of members of the unemployment insurance funds and the extensive efforts it was taking to help stimulate the number of new applications for admission to the funds not only from previous members who have resigned from membership, but also from individuals who have never applied for membership. In particular, throughout 2009, conditions for membership in unemployment insurance funds have been eased and each month of membership was counted double. ***The Committee invites the Government to reply to the comments of the SACO and to assess the effectiveness of the measures taken to increase membership of unemployment insurance funds.***

Article 18. Waiting period. The Committee notes that since 7 July 2008, the waiting period to receive unemployment benefits has been increased from five to seven days. The Committee notes that seven days correspond to seven working days which means that the waiting period would correspond to nine calendar days (sections 20 and 21 of the Unemployment Insurance Act). ***The Committee would like the Government to indicate the measures it intends to take to bring national legislation into conformity with the Convention which limits the waiting period to a maximum of seven calendar days.***

Article 21. Suitable employment. Since 2 July 2007 the possibility for jobseekers, during the first 100 days of benefit, to limit the search for work within their profession and vicinity was abolished and jobseekers must be prepared to accept any suitable work. According to the information provided by the Government in its report of 2008, the kind of work a jobseeker must seek and accept, and the limitations applicable thereto are specified in the regulations on suitable work (IAFFS 2004:3) issued by the Swedish Unemployment Insurance Board, which entered into force on 1 September 2004. It appears that jobseekers, after 100 days on unemployment benefit, must accept any suitable job even if it was outside their previous profession and training. If a jobseeker rejects an offer of suitable work without acceptable reasons, the daily unemployment benefit will be reduced for the first refusal by 25 per cent for the period of 40 days of compensation and for the second refusal by 50 per cent for the next 40 days; in case of the third refusal the entitlement to the benefit is terminated. In determining the suitability of the work offered on such conditions reasonable consideration is given to the applicant's capacity for the work and other personal circumstances, such as age, health and local family ties. No additional information was provided on these new developments in the 2011 report of the Government. The Committee observes that the above changes might devoid the concept of "suitable employment", on which the Convention is based, of its role of protecting the professional and social status of jobseekers during the prescribed initial period of unemployment.

As regards the situation in law, the Committee notes that, according to section 3 of the Swedish Unemployment Insurance Board's Regulations on the application of section 11 of the

Unemployment Insurance Act (1997:238) regarding suitable work, IAFFS 2004:3, as amended, the applicant must apply for and accept available and suitable work. An assessment of what may be deemed to constitute work that is suitable for the applicant shall be made taking into consideration the supply of job opportunities throughout the entire labour market. The Unemployment Insurance Board's Annotations on section 11 of the Unemployment Insurance Act specify that unemployment insurance is not an insurance of one's profession. This means that the applicant may not limit the search for work within their profession or education. What is deemed to be suitable work shall be assessed in the light of the labour market supply of vacant jobs and demand for labour. While the applicant's experience shall be taken into account so as to avoid unnecessary changes of occupation, section 7 of the Regulations stipulates that an offer of work or directed work that does not correspond to the applicant's training and occupational experience is not unsuitable for that reason alone, and section 8 makes it clear that, if the employer considers that the applicant's qualifications are sufficient and wishes to employ him or her, the work shall be deemed to be suitable even if the applicant makes another assessment of his or her knowledge and skills. The Committee observes that the above provisions have the effect of depriving the worker of the possibility of protecting his education, professional skills and experience during the initial period of unemployment limited by *Article 19(2)* of the Convention to 26 weeks. They also formally relieve the Swedish Public Employment Service (PES) of its responsibility under Part II of the Convention to assist unemployed persons to obtain new work which is suitable to their professional qualifications through directing its efforts to maintaining and improving the professional quality of the labour force. The Committee wishes to stress that the concept of suitable employment works as a guarantee against the deregulation of the labour market to the point when it will compel jobseekers to accept any unsuitable job, as well as against the reduction of the role of the PES to act only as a labour supply agency satisfying the demands of the employers irrespective of the jobseekers' own assessment of their professional and social status.

When it comes to the practical application of the above legal rules, the Government's report explains that the PES official and the jobseeker discuss what constitutes a suitable job, so as to be able, within 30 days of the start of unemployment, to draw up an action plan that identifies the fastest and best way of finding a new job for the unemployed person. In this action plan, the jobseeker can specify an interest in different fields of work within a geographical area. After a discussion with the jobseeker, the PES makes an assessment of the jobs that are suitable based on the jobseeker's experience and training. An instruction from the PES to the jobseeker to take up a suitable job is issued if the job in question is compatible with the jobseeker's skills. While noting that these practices satisfy the requirements of the Convention, the Committee observes the existence in Sweden of the mismatch between law and practice, where the law has been changed to formally abolish the protection of the jobseekers' professional qualification, while the PES continues to base its job offers on matching them to the jobseeker's actual experience and training. As regards the situation in practice, the Government gives examples of determining the suitability of employment by the Public Employment Service and expresses the opinion that the applicant's opportunity to protect his/her education, working skills and working experience during the initial period of unemployment is met through the existing arrangements. ***In order to make this opportunity clear also from the legal point of view, the Committee asks the Government to inform the Public Employment Service of the international obligation assumed by Sweden under Article 21(2) of the Convention, to determine the suitability of employment by taking into account to an appropriate extent, alongside the labour market situation, the applicants' acquired experience and length of service in their former occupation. The Committee would also like to request the Government to provide statistical information on the number of persons whose***

unemployment benefits have been reduced or suspended according to section 45(a) of the Unemployment Insurance Act.

Article 25. Adjustment of social security schemes to part-time workers. Since 1 January 2009, unemployment benefits are also being paid to part-time workers who have been granted unpaid leave in order to perform other work at an equal or higher rate, provided that the positions cannot be combined. Also, as of 5 July 2010, a new regulation was introduced which codifies a practice of the Unemployment Insurance Funds that entitles workers to unemployment benefits when they combine part-time work for at least 17 hours per week with self employment for a maximum of ten hours per week. ***The Committee would like the Government to indicate the period during which unemployment benefits shall be paid in these cases.***

Article 27. Complaints and appeals procedures. In its 2008 report, the Government provided information on the applicable procedures in the Unemployment Insurance Funds. ***The Committee would be grateful if the Government would provide information about the procedures available to persons who are covered by the basic unemployment insurance.***

4. EU Country-Specific Recommendations: 2015

(the numeration of comments is kept in accordance to the original)

The European Union has set up a yearly cycle of economic policy coordination called the European Semester in 2010. Under the European Semester, the European Commission was given a mandate by Member States to check whether they take action on reform commitments they have made at EU level. The European Semester starts when the Commission adopts its Annual Growth Survey which sets out EU priorities to boost job creation and growth for the next year.

Each year, the Commission undertakes a detailed analysis of EU Member States' plans of budgetary, macroeconomic and structural reforms and provides them with the country-specific recommendations basing its decision on the submitted by each country National Reform Programme and Stability Programme. These recommendations provide tailor-made policy advice to Member States in areas deemed as priorities for the next 12-18 months. The European Council endorses the recommendations after the discussion.

Where recommendations are not acted on within the given time-frame, policy warnings can be issued. There is also the option of enforcement through incentives and sanctions in the case of excessive macroeconomic and budgetary imbalances.

Council Recommendation of 14 July 2015 on the 2015 National Reform Programme of Sweden and delivering a Council opinion on the 2015 Convergence Programme of Sweden (2015/C 272/05), (18.08.2015, C 272/18, *Official Journal of the European Union*).

[Official Website of the European Commission](#)

(11) The Government is taking steps to improve school outcomes, after a marked deterioration in the last decade which contributes to relatively high youth unemployment. The Government is also taking measures to facilitate the transition from education to the labour market and to improve the labour market integration of low-educated young people and people with a migrant background. Progress in this area will need to be monitored.