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EUROPEAN SOCIAL CHARTER

19th National Report on the implementation of
the European Social Charter

submitted by

THE GOVERNMENT OF SWEDEN

Articles 1, 9, 10, 15, 18, 20, 24 and 25

for the period 01/01/2015 - 31/12/2018

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21 January 2020

CYCLE 2020

REVISED EUROPEAN SOCIAL CHARTER

Nineteenth report

Submitted by the Government of Sweden

in accordance with the Ministers' Deputies' decisions:

- 2 May 2006 adopted at their 936rd meeting (point 4.2),
- 26 March 2008, adopted at their 1022nd meeting (point 4.2),
- 2 April 2014, adopted at their 1196th meeting (point 4.7)

on the measures taken to give effect to the following provisions of the

Revised European Social Charter

Articles 1, 9, 10, 15, 18, 24 and 25 for the period of 1 January 2015 to 31 December 2018.

Article 24 have not been ratified by Sweden.

In accordance with Article 23 of the Revised Charter, copies of this report have been communicated to

- (1) Svenskt Näringsliv (Confederation of Swedish Enterprise)
- (2) Sveriges Kommuner och Landsting (the Swedish Association of Local Authorities and Regions)
- (3) Arbetsgivarverket (Swedish Agency for Government Employers)
- (4) Landsorganisationen i Sverige (the Swedish Trade Union Confederation)
- (5) Tjänstemännens Centralorganisation (the Swedish Confederation of Professional Employees)
- (6) SACO, Sveriges Akademikers Centralorganisation (the Swedish Confederation of Professional Organisations)

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Introduction

With regard to the report form and to the requested information in letter dated 27 May 2019 and in particular to its' appendix whereby it is explained that States are invited to limit its' report to replies to specific and targeted questions for the relevant provisions, the Government of Sweden subsequently would like to submit the following information on article 1§1, 1§2, 10§1, 10§3, 10§4, 10§5, 15§1, 15§2, 15§3, 18§1, 18§2 and 20. Please note that Sweden have not ratified article 24. Regarding the following provisions 1§3, 1§4, 9, 10§2, 18§3, 18§4 and article 25 reference is made to previous reports and conclusions. The Swedish Government is hereinafter referred to as the Government.

Article 1 – The right to work

Article 1§1

Requested information:

Please provide details of labour market policy measures specifically designed to support specific groups or communities, such as: young people who have not yet entered the labour market, persons in geographical areas and communities with distinct levels of underemployment (quality) or unemployment (quantity) or experiencing severe or chronic unemployment as well as migrants and refugees;

Please include statistical information on the overall impact of employment policy during the reference period: economic growth indicators, unemployment rates broken down by gender, age and duration, public expenditure on passive and active labour market measures as a share of GDP, number of participants in active measures (training), activation rate (participants/unemployed ratio).

Reference is made to the previous report. The Government would also like to add the following information.

Initiatives and measures for long-term unemployed

In 2015, about one third of the long-term unemployed participants in the labour market programme Job and Development Guarantee (Jobb- och utvecklingsgarantin) lacked upper secondary education skills and the outflow to studies was very low. In 2015 long-term unemployed, participating in the Job and Development Guarantee, were therefore given the opportunity to study full time for one year while retaining their activity grants. In the end of 2015, the Government also introduced Extra Jobs in welfare, aimed at giving long-term unemployed a foothold in the labour market.

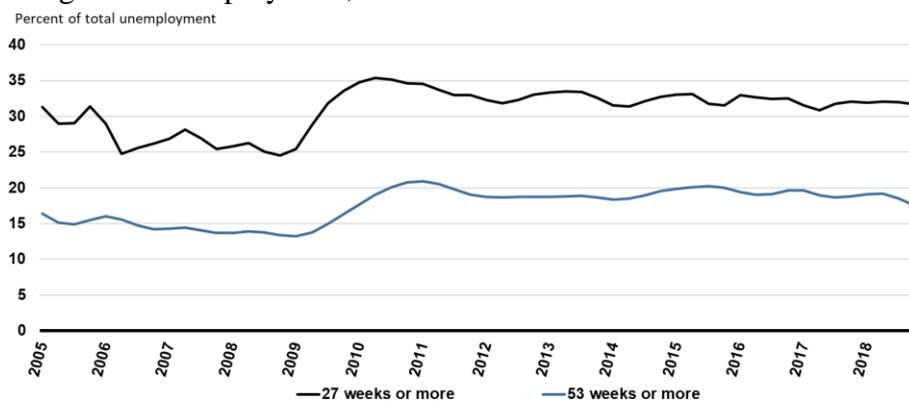
To increase the outflow to work and education for long-term unemployed, the Job and Development Guarantee, intended for long-term unemployed, was reformed in 2016. The previous three consecutive phases of the Job and Development Guarantee, each comprised of different initiatives, was replaced by a more individualized and less micromanaged guarantee. The reason for the reformation of the programme was to give the Swedish Public Employment Service (PES, Arbetsförmedlingen) the possibility to offer individuals different initiatives or measures, for example vocational training, labour market training and support while starting a business, based on everyone's needs and circumstances. This rather than providing labour market policy initiatives based on the phase the participant was participating in and thus how long a person has been unemployed.

At the same time, the Government was increasing opportunities for job training and implemented a new programme of vocational courses at folk high school (Folkhögskola), lasting up to 24 months, in occupations where there are labour shortages.

There are also different kind of measures targeting long-term unemployed within the European Social Fund programme 2014–2020.

In 2017 the Government commissioned several central government agencies to offer Modern Public Sector Jobs to long-term unemployed people and newly-arrived migrants.

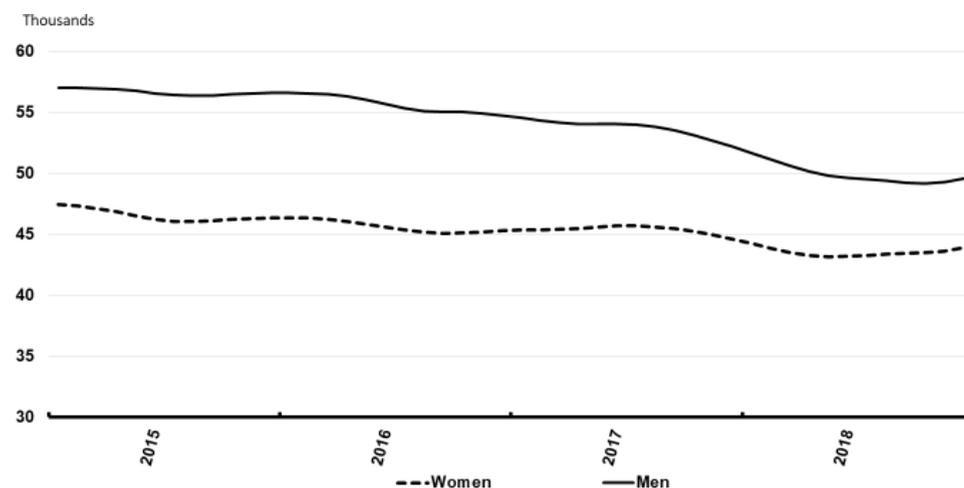
Long-term unemployment, 2005–2018



Source: Statistics Sweden, LFS.

Long term unemployed, both counted as + 27 weeks and +53 weeks, as share of total unemployment has been relatively stable at around 32 % and 20 % respectively.

Participants in the Job and Development Guarantee, 2015–2018



Source: Swedish Public Employment Service.

The number of women and men among the participants in the Job and Development Guarantee, 2015–2018

	<u>Women</u>	<u>Men</u>	<u>Total</u>
2015	46 565	56 716	103 282
2016	45 651	55 726	101 376
2017	45 383	53 722	99 104
2018	43 522	49 910	93 432

Source: Swedish Public Employment Service.

The number of participants in the Job and Development programme has decreased among both women and men since 2015. The number of men in the programme exceeds the number of women during the whole period but the difference is decreasing. There is also a slight increase in the volumes among women in the second half of 2018.

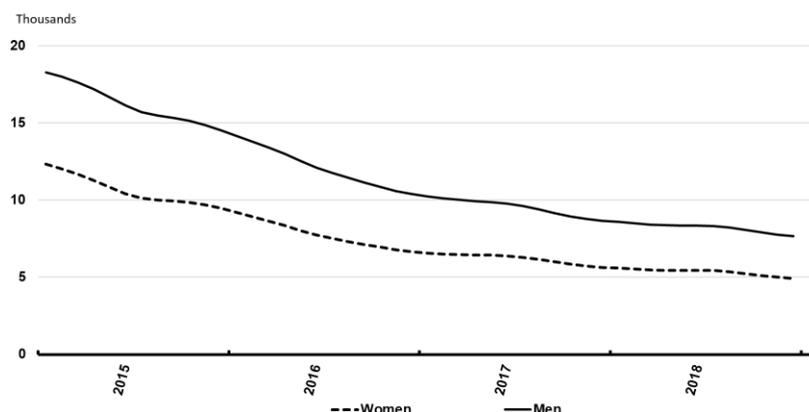
Please see also below, article 10§4.

Initiatives and measures for young unemployed people

In 2016, the Government introduced the 90-day Guarantee for young people aiming to reduce youth unemployment. The 90-day Guarantee states that all unemployed youths should receive an offer for a job, education or opportunity that leads to work within 90 days. The implementation of the guarantee has been incremental. In the end of 2017, the PES assessed that the 90-day Guarantee was fulfilled, and it was maintained during 2018. The number of young people who had not started work or studies or had not been offered an intervention within 90 days decreased in 2018 and averaged fewer than 500 people per month. The reduction did occur both among women and men.

Furthermore, since 2007 the Job Guarantee for Youth is established. The Job Guarantee for Youth scheme covers all young people aged 16–24 registered with the PES and claiming unemployment benefits. Employment, education and traineeship offers are provided. Both female and male participants in the Job Guarantee for Youth have decreased between 2015 and 2018.

Participants in the Job Guarantee for Youth, 2015–2018



Source: Swedish Public Employment Service.

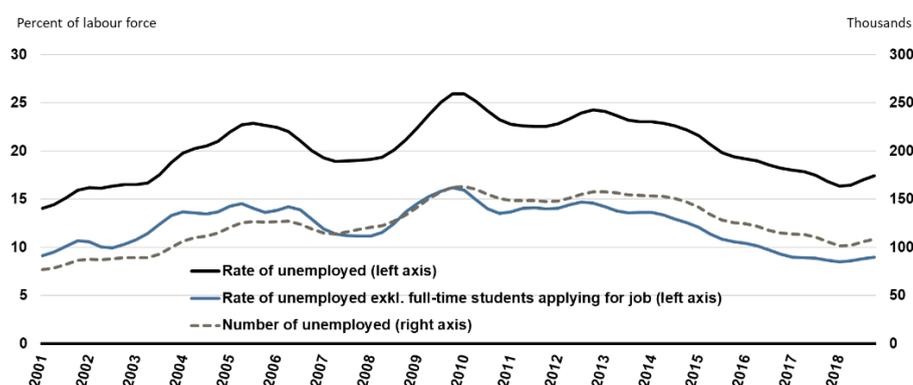
The number of women and men among the participants, 2015–2018.

	Women	Men	Total
2015	10 686	16 325	27 011
2016	7 795	12 153	19 948
2017	6 202	9 534	15 736
2018	5 344	8 205	13 548

Source: Swedish Public Employment Service.

Both the number and rate of unemployed young persons, age 15–24 years, has decreased between 2015–2018, but in the late part of 2018 the unemployment increases slightly. Excluding full-time students seeking employment, the rate of unemployment is almost half of the total unemployment among young persons.

Unemployed young persons, by percentages of the labour force, 2001–2018



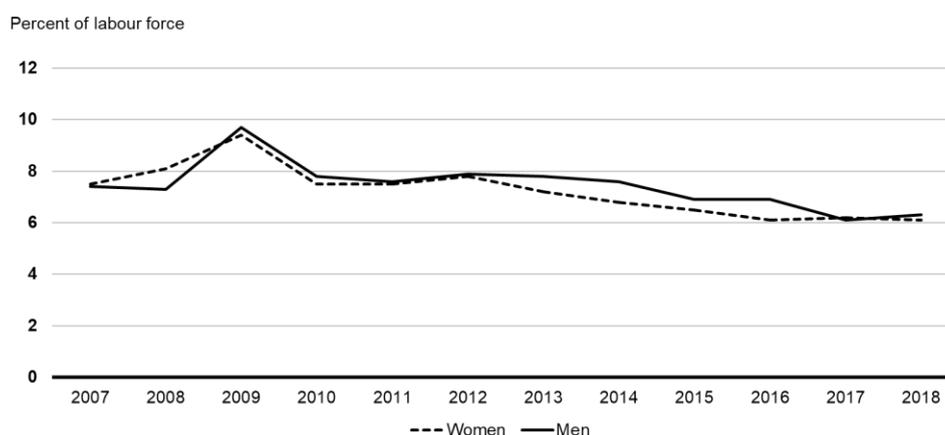
Source: Statistics Sweden, LFS.

In 2015, a new measure called Education Contract (Utbildningskontrakt) was introduced. The Education Contract is for those job seekers between 20 and 24 years who need to acquire upper secondary school competence. The contract is an agreement between the young person, the person’s home municipality and the PES. The young person can acquire upper secondary school competence at Municipal Adult Education (Komvux) or folk high school (Folkhögskola). Meanwhile, the person can apply for a study grant from the Swedish Board of Student Finance (CSN). The introduction of the Education Contract aimed to support the implementation of the 90-day Guarantee.

In 2014, the Delegation for the Employment of Youth (Dua) was formed. The delegation promotes collaboration between the municipality and the employment services and the development of new forms of collaboration. The purpose is to contribute reducing youth unemployment and improving the integration of newly-arrived immigrants in the labour market. One new form of collaboration has been to create local agreements between the PES and the municipalities on cooperation to reduce youth unemployment. The idea is that Dua’s methods are going to be incorporated into the operation modes of PES. One other form of collaboration that has developed is the so-called Vocational Introduction Employments. They are based on collective agreements signed independently between the social partners.

Between 2015–2018, the Government had a strategy for youth not in employment, education or training (NEET). The strategy described measures with the purpose to improve the opportunities for these young people to establish themselves in work and social life. The Government's strategy has spread over a wide area and involved many actors. A recent evaluation by The Swedish Agency for Public Management found that participants in the projects believe that the support has been valuable, for many invaluable. Success is evident in stepwise movements for individuals towards studies and work. Some have also continued to study, traineeship and work. However, it is too early to see long-term effects and effects on a structural level. It is also difficult to fully evaluate effects and working methods due to the wide diaspora of actions and often a short time frame. There are also measures targeting young people within the European Social Fund programme 2014–2020 and the Youth Employment Initiative. The difference in the proportion of NEET between men and women aged 15–24 is small. Between 2015–2018, the share has only decreased marginally.

The proportion of NEET, by percentages of the labour force, 2007–2018



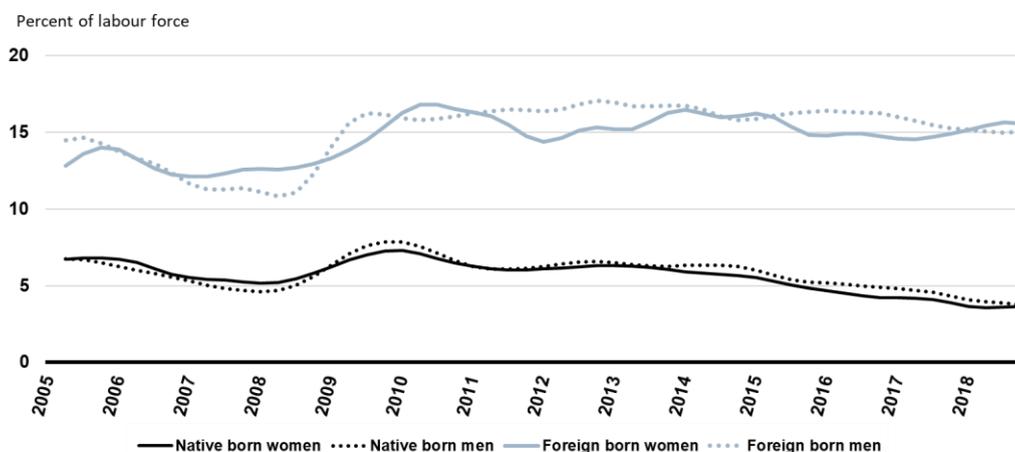
Source: Statistics Sweden, LFS.

In 2015, the municipalities' responsibility to act came into force. The responsibility to act means that municipalities are responsible for contacting all young people under the age of 20 who have completed compulsory school but are not studying in upper secondary school or have completed it with passing grades, and who have no known employment and offer them suitable individual measures. For young people over 20 there are no outreach activities, except for a few cases where there are specific projects. The Swedish Agency for Youth and Civil society (MUCF) has since 2018 offered support to actors, principally municipalities, that work with the NEET population. The support mainly consists of dissemination of knowledge about the population and sharing of best practices. Much of the welfare system is however built on unemployed young people being registered as jobseekers, which lead to a high share of registered youths.

Faster integration of newly-arrived immigrants

The Government's integration measures for newly-arrived immigrants are aimed at giving newly-arrived immigrants and their family members the conditions they need to establish themselves in society and working life. Work is the key to the integration of newly-arrived immigrants in Swedish society. Labour market establishment must therefore become more effective for newly-arrived women and men, both those who have the demanded skills on the labour market and those who lack basic education.

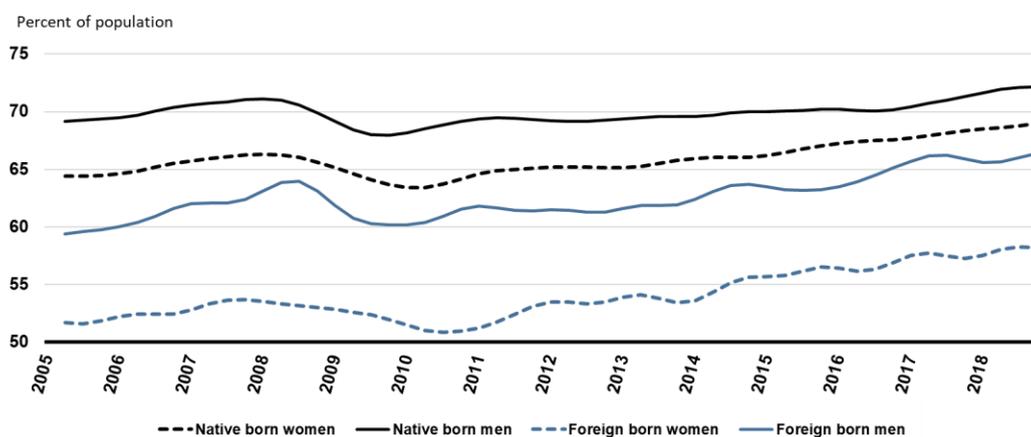
Unemployment among native-born and foreign-born, age 15–74 years, 2005–2018



Source: Statistics Sweden, LFS.

Unemployment has decreased significantly more among native-born men and women. The difference in unemployment between the native- and foreign-born has increased continuously.

Employment among native-born and foreign-born, age 15–74 years, 2005–2018

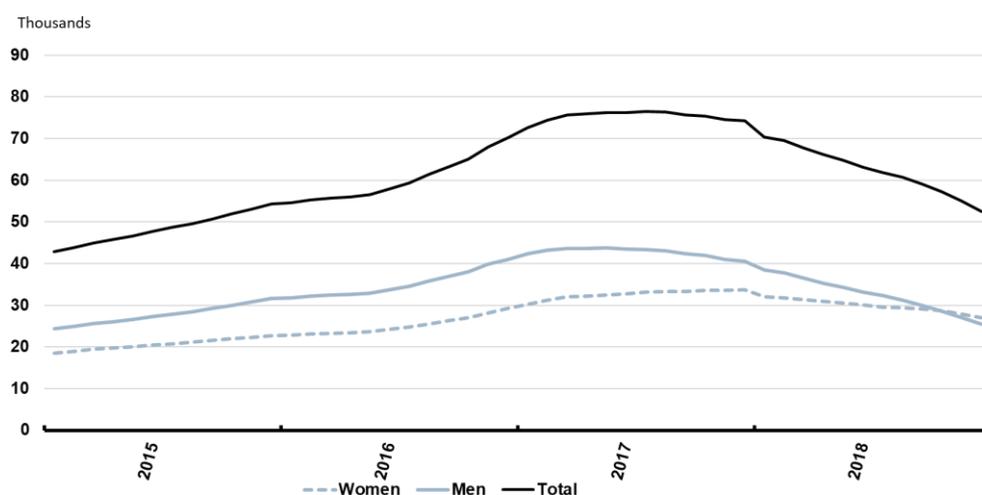


Source: Statistics Sweden, LFS.

The employment rate has increased in all groups. Over time, the difference between native- and foreign-born has gradually diminished.

The Government is making continuous efforts to improve opportunities for newly-arrived women and men to become established in the labour market. For instance, the Government introduced a new legal framework for the Swedish Public Employment Service's Introduction Programme from 2018, aimed at enhancing its efficiency and flexibility. Substantial increase in transitions from the Introduction Programme to regular training/education is required. A large share of participants needs regular training/education initiatives over several years to become established on the Swedish labour market. Others need supplementary training/education in order to secure a job. The target group for the Introduction Programme is women and men between 20 and 64 that recently have been granted a residence permit as a refugee or as in need of protection or as their relatives.

Participants in The Introduction Programme, 2005–2018



Source: The Swedish Public Employment Service.

The number of people in The Introduction Programme increased in 2015 and 2016 and then levelled out in 2017. From August 2017, the number in the establishment has decreased. The number of men and women in the programme at the end of 2018 is almost equal.

The number of women and men among the participants, 2015–2018.

	Women	Men	Total
2015	20 630	27 726	48 356
2016	25 132	35 159	60 291
2017	32 626	42 697	75 323
2018	29 853	32 499	62 351

Source: The Swedish Public Employment Service.

The Government has intensified its focus on measures to continue to create sustainable reception and effective establishment of newly-arrived immigrants. As part of the Government's initiatives to encourage more unemployed people to make the transition to education and training, it has introduced an Education and Training Obligation, which came into force on 1 January 2018. Under this obligation, all newly-arrived immigrants who benefit from the PES's Introduction Programme, and who are considered to be in need of education or training to get a job, can be referred to apply for, and undergo, education and training.

The establishment period tends to be particularly protracted for women, and especially women with short education and training. Also, women participate in labour market policy measures to a lower extent than men while they are in the Introduction Programme. The PES works according to an action plan, prepared as commissioned by the Government, to reduce unemployment among foreign-born women.

Fast Tracks for recent newly-arrived

The Fast Tracks are mainly for newly-arrived refugees with education, training or work experience in areas for which there is a demand of labour in Sweden. The Fast Tracks have been created through tripartite talks with the social partners, the PES and other relevant government agencies. The first Fast Track concerned chefs. Since then 14 Fast Tracks have been presented for about 30 professions such as doctors, teachers, painters and butchers. The Fast Tracks are a new concept in several ways. One important key is that they are created in very close collaboration

with the industries. They also consist of earlier and more efficient measures such as validation and professional language training. Between early 2016 and December 2018, around 8 000 individuals (5 500 men and 2 400 women) have started a Fast Track.

Achieving faster establishment in the labour market and society in general for recently newly-arrived immigrants requires, among else, cooperation among relevant government agencies and other actors. The Delegation for the Employment of Youth (Dua) has experience working with local agreements between the PES and local authorities as a tool for cooperation aimed at reducing youth unemployment. The Government has therefore decided to expand Dua's remit to promote cooperation between various stakeholders that are important for the integration of newly-arrived immigrants in working life. In relation to this, Dua changed its name to Delegation for the Employment of Young People and Newly Arrived Migrants.

Segregation

In parts of Sweden segregation has become a growing problem. In order to decrease and combat segregation the Government has launched a comprehensive long-term reform programme which spans over the period of 2018–2028. In parts of Sweden segregation has become a growing problem. In order to decrease and combat segregation the Government has launched a comprehensive long-term reform programme which spans over the period of 2018–2028.

The reform programme mainly focuses on actions in five strategic areas: to combat crime; reduce long-term unemployment; improve school conditions and student results; strengthen community service and reduce residential segregation; and to strengthen democracy and support civil society.

To accelerate current efforts, the Government in March 2017 announced the establishment of a new government authority from January 1, 2018 – the Swedish Delegation against segregation – with the task of supporting the implementation of the reform programme. The authority – in cooperation with municipalities, regions, civil society, the private sector and other relevant actors – support the development of innovative methods in the field and develop knowledge and networks for the exchange of knowledge and experiences. In addition, the Government has launched large numbers of reforms that in the long term can contribute to decrease and combat segregation.

Entry Agreement

Entry Agreements are based on a proposal from the social partners and aim at building a new model for getting long-term unemployed and newly-arrived immigrants into the labour market and to ease future skills supply for employers. The aid is an indirect wage subsidy where the subsidy is paid to the employee instead of the employer. Entry Agreements is not yet in place.

Extra Jobs

In November 2015 the Government introduced Extra Jobs to strengthen the competitiveness of long-term unemployed people for jobs. Extra Jobs were introduced in parts of the welfare system, such as in health care or schools. The aim is to give long-term unemployed people meaningful tasks and a salary in accordance with collective agreements while improving the individual's chances of getting an unsubsidised job. As of December 1, 2016, the rules for Extra Jobs were enhanced. Newly-arrived immigrants were included in the target group and central government agencies were commissioned to offer Modern Public Sector Jobs to the same target groups. In 2017, an average of 5 200 persons per month participated in Extra Jobs. That increased to an average of 15 600 persons per month in 2018, of whom 58 % were long-term unemployed.

New Start Jobs

On 1 February 2017 the rules for New Start Jobs were reformed to make the support scheme more accurate and effective. The changes include increasing subsidy levels in relation to the duration of absence from the labour market. In 2017, an average of 41 100 persons per month participated in New Start Jobs. During 2018 those numbers decreased to an average of 32 600 persons per month, of whom 66 % were long-term unemployed.

Introduction Jobs

As of 1 May 2018, Introduction Jobs replaces five other types of subsidised employment, making the system for subsidised employment simplified and stronger. Introduction Jobs target people who are long-term unemployed or newly-arrived immigrants. They can be flexibly combined with education and training, both to empower the individual, and to meet the skills requirements of employers. In 2018, as this type of subsidy was new, the number of persons having an Introduction Job increased from 700 in May to 6 100 in December, with an average of 3 900 persons per month. Of them 57 % were long-term unemployed.

Public expenditure on labour market policy measures

The table below shows public expenditure on labour market policy measures as a share of GDP, which has been stable during the past years.

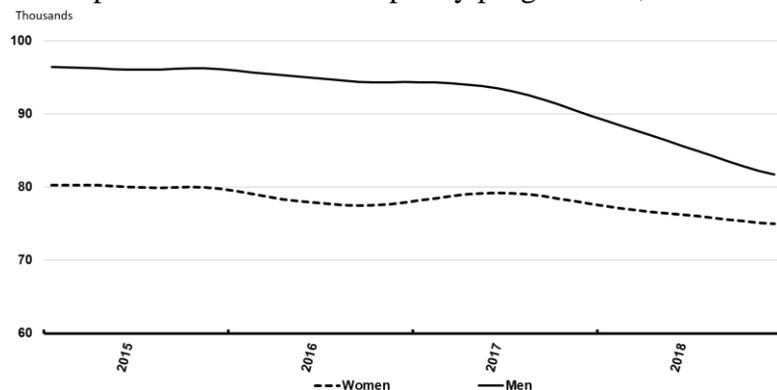
Public expenditure on LMP measures, by type of action as share of GDP (percentage of GDP)

Implication Type (category)/Year	2015	2016	2017
Labour market services (1)	0,216	0,235	0,244
Training (2)	0,144	0,130	0,127
Job rotation and job sharing (3)	-	-	-
Employment incentives (4)	0,592	0,500	0,474
Supported employment and rehabilitation (5)	0,257	0,258	0,241
Direct job creation (6)	:(z)	:(z)	:(z)
Start-up incentives (7)	0,006	0,007	0,120
Out-of-work income maintenance and support (8)	0,543	0,550	0,523
Early retirement (9)	:(z)	:(z)	:(z)
Total LMP measures (2-7)	0,998	0,894	0,963
Total LMP supports (8-9)	0,543	0,550	0,523
Total LMP (1-9)	1,757	1,679	1,729

Note: -= 'Not applicable' or 'Real zero' or 'Zero by default'; := 'Not available'; (z) = 'Not applicable'.

Source: The European Commission, DG Employment and Statistic Sweden, National Accounts.

Participants in labour market policy programmes, 2015–2018



Source: Swedish Public Employment Service.

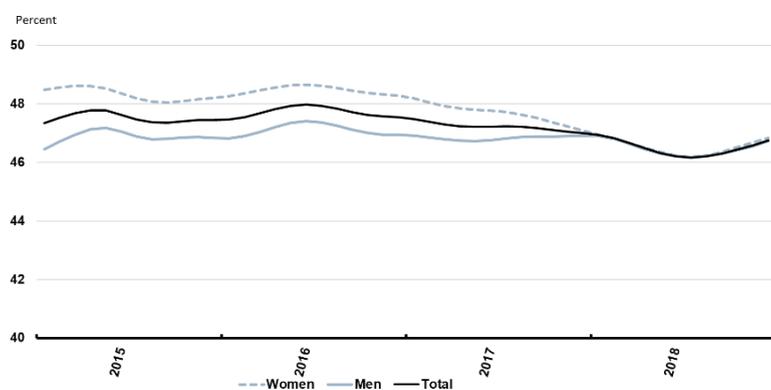
The number of participants in labour market policy programmes has decreased among both women and men since 2015. The volumes decreased rapidly after 2017. The number of men in the labour market programmes exceeds the number of women during the whole period but the difference is decreasing.

The number of women and men among the participants, 2015–2018

	<u>Women</u>	<u>Men</u>	<u>Total</u>
2015	80 103	96 392	176 495
2016	78 109	94 909	173 018
2017	78 524	92 632	171 156
2018	76 193	85 400	161 594

Source: Swedish Public Employment Service.

Activation rate, participants in active measures per unemployed



Source: Swedish Public Employment Service.

Overall, the total rate of activation has been stable at around 47 % during the period. At the same time the difference between women and men has diminished.

Economic growth indicators

Real GDP growth rate (growth rate of GDP volume)

In 2015, 4.2 percentage change on previous year.

In 2016, 2.2 percentage change on previous year.

In 2017, 2.7 percentage change on previous year.

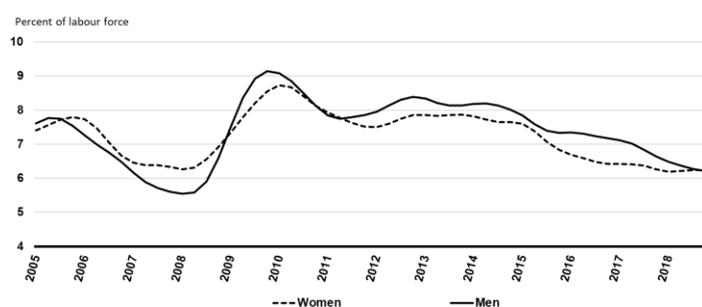
In 2018, 2.4 percentage change on previous year.

Source: Statistics Sweden, NA.

Growth in the Swedish economy has been at a steady and relatively high level between 2015 and 2018.

Unemployment rates broken down by gender, age and duration

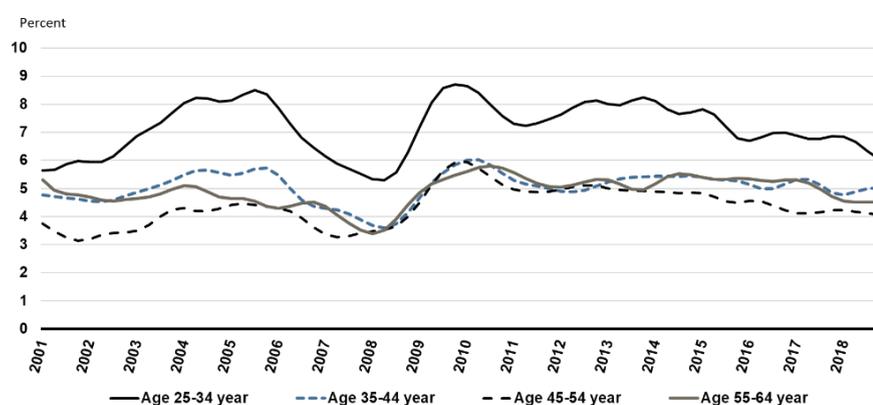
Unemployment by gender, age 15–74 year, 2005–2018



Source: Statistics Sweden, LFS.

Unemployment among women and men has gradually decreased between 2015 and 2018.

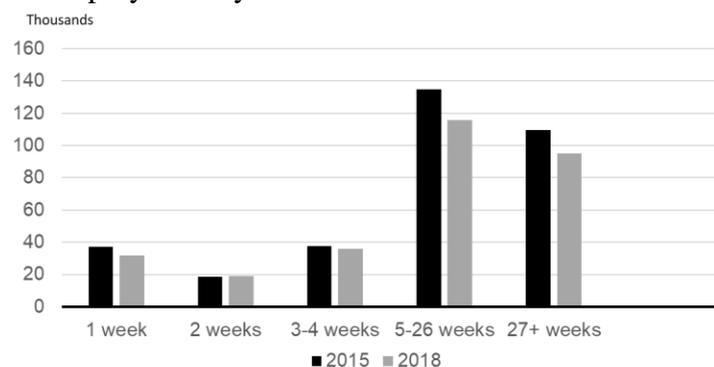
Unemployment by age, 2001–2018



Source: Statistics Sweden, LFS.

The age group 25–34 years reports the highest unemployment during the period. Between 2015–2018, unemployment is declining in all age-groups, but mostly among the age group between 25–34 years.

Unemployment by duration



Source: Statistics Sweden, LFS.

As the total number of employed have decreased between 2015 and 2018 also the number of long-term unemployed has decreased.

Number of employment by duration

Thousands	2015	2018
1 week	37,1	31,9
2 weeks	18,4	18,9
3-4 weeks	37,7	35,8
5-26 weeks	134,7	115,7
27+ weeks	109,7	95,1

Source: Statistics Sweden, LFS.

Gender equality policy and economic equality

The overarching goal of the national gender equality policy in Sweden is that women and men are to have the same power to influence and shape the society and their own lives. Based on this objective, the Government works towards six sub-goals, one of which is economic equality. According to this sub-goal, women and men must have the same opportunities and conditions as regards paid work which give economic independence throughout life.

In order to monitor, assess and follow-up progress in relation to the main gender equality objective and the six sub-goals, the Government had developed a series of indicators. For the sub-goal economic gender equality, the indicator women's and men's participation on the labour market has been developed in order to evaluate progress pertaining to equal access to work. Additional indicators include, inter alia, women's pay in percent out of men's pay, before and after standard weighting. These indicators, as well as other indicators, are monitored, assessed and followed-up annually in the Budget Bill. In addition, all indicators in the area of economic gender equality are monitored, assessed and followed-up in an appendix to the Budget Bill.

When it comes to regulation on official statistics, the regulation (2001:100) on official statistics, stipulates that official statistics based on individuals is to be gender disaggregated if there are no special reasons against this. In line with this regulation, all statistics concerning individuals which are presented in government bills and communications, including the Budget Bill, are to be presented, commented and analysed in a gender perspective.

Some statistics on gender quality in the labour market

In 2018, 80,3 % of women and 84,7 % of men participated on the labour market. The unemployment rate was 6,5 % among women and 5,8 % among men. However, the participation

rate among women born abroad (61,3 %) is considerably lower than the participation rate among women born in Sweden.

In 2018, women's pay was 89,3 % of men's pay. Hence, there is a pay gap of 10,7 % (unadjusted). After standard weighting, controlling for profession, sector, education, age and work hours, there is a pay gap of 4,4 %.

The Discrimination Act and working life

The Discrimination Act (2008:567) regulates the prohibition on discrimination on the ground of sex. Discrimination includes direct discrimination, indirect discrimination, inadequate accessibility, harassment, sexual harassment and instruction to discriminate. The Act covers discrimination e.g. working life.

The Act also includes the obligation for employers to work on active measures. Active measures are such as prevention and promotion measures aimed at preventing discrimination and serving in other ways to promote equal rights and opportunities regardless of e.g. sex. The Act discloses a framework for the work on active measures.

Work on active measures is to be conducted continuously. Measures are to be scheduled and implemented as soon as possible. Also, employers' work on active measures is to encompass for example provisions and practices regarding pay and other terms of employment.

In order to discover, remedy and prevent unfair gender difference in pay and other term of employment, the employer is to annually survey and analyse provisions and practices regarding pay and other terms of employment that are used by the employer, and pay differences between women and men performing work that is to be regarded as equal or of equal value.

Please see also below, article 1§2 and article 20.

The Equality Ombudsman

The Equality Ombudsman (Diskrimineringsombudsmannen, DO) has a central role in combatting discrimination. DO's mandate is broad and covers many different areas. DO's appropriations were increased by SEK 10 million (appr. EUR 9,4 million) in 2015 and by another SEK 10 million (appr. EUR 9,4 million) in 2017.

More actors are needed to conduct effective work to combat discrimination. The work of local anti-discrimination offices (ADB) shows the importance of combatting discrimination at local and regional level. There is great demand for the services they provide and today there are 16 ADB spread across Sweden. The Government has increased its appropriations to ADBs from SEK 15 million (appr. EUR 1,4 million) a year to SEK 29 million (appr. EUR 2,7 million) a year.

Article 1§2

Requested information:

Please provide updated information on legislation prohibiting all forms of discrimination in employment in particular on grounds of gender (if not accepted Article 20/Article 1 AP), race, ethnic origin, sexual orientation, religion, age political opinion, disability (if not accepted Article 15§2), including information on remedies.

Please indicate any specific measures taken to counteract discrimination in employment of migrants and refugees.

Please indicate what measures have been taken to assess the prevalence of the problem of exploitation of vulnerability, forced labour, modern slavery? Does legislation exist to deal with the phenomenon of exploitation of vulnerability, forced labour, modern slavery and does it make provision for the identification and protection of victims, enable prosecution of exploiters, or otherwise provide reporting requirements for businesses to detail actions taken to investigate their supply chains for forced labour, due diligence in public procurement to guarantee funds are not inadvertently supporting modern slavery? Are there regular inspections of sectors such agriculture, construction, hospitality, manufacturing and domestic work, which are particularly affected by labour exploitation? Please provide information on any measures taken to protect workers in the “gig economy” or “platform economy whose employment is very often precarious, against exploitation.

Reference is made to the previous report. The Government would also like to add the following information.

The Discrimination Act

The Discrimination Act was amended on the 1st of January 2017. The Act includes the obligation for employers to undertake prevention and promotion measures aimed at preventing discrimination and serving in other ways to promote equal rights and opportunities regardless of all the seven grounds of discrimination, including sex. The changes also included that pay surveys should be carried out annually instead of every third year. The obligation for documentation changed to include employers that have at least 10 employees, compared to 25 which was the level set out before the changes.

The Equality Ombudsman has been given special assignments in 2018 and 2019 to develop and disseminate information with support for employers to prevent sexual harassment in the workplace. The Ombudsman shall also according to the same assignment raise awareness on the requirements in the Discrimination Act on active measures to give employers better knowledge and thereby better compliance with the law. An inquiry has been appointed to analyse whether the current provisions regarding supervision of active measures are appropriate for effective compliance with the law. The inquiry chair is also to analyse how supervision of the provisions in the Discrimination Act that cover the sphere regulated by the Education Act can be transferred from the Equality Ombudsman to the Swedish Schools Inspectorate. The inquiry is due to submit a report in 2020.

Please see also below, article 15§1 and 20.

An Amended Criminal Code

In Swedish law, forced labour is defined and criminalized mainly under the provision on trafficking in human beings in Chapter 4, Section 1 (a) of the Swedish Criminal Code. The provision was introduced into the Criminal Code in 2002, and the most recent amendments to the provision entered into force 1 July 2018 (see below). The criminalization of trafficking in human beings for all purposes including forced labour, in the Swedish Criminal Code is in accordance with Sweden’s international obligations under, inter alia, the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

The criminal provision consists of three main elements, which all need to be met in order for a person to be convicted for trafficking in human beings. These requirements apply when the victim is above 18 years of age. When it comes to offences concerning victims under the age of 18, the requirements for criminal liability differ in certain aspects.

According to the criminal provision, the first element of trafficking in human beings is the so-called improper means, which are used by the perpetrator in order to induce the victim to submit to a trafficking measure. An improper mean could i.e. be deception or exploitation of another person's vulnerable situation that severely restricts that person's alternatives. The second element consists of the trafficking measure itself, i.e. recruitment or transport. The third and final element for criminal liability is that the trafficking measure is carried out in order for the person to be exploited for sexual purposes, the removal of organs, military service, forced labour or some other activity in a situation that involves distress for the person. The exploitation itself does not need to have taken place in order for criminal liability to come into question.

Exploitation for sexual purposes may concern i.e. exploitation for prostitution or that the victim be submitted to sexual crimes. Activities in a situation that involve distress for the victim may concern cases where the victim is induced to work under exceptionally difficult conditions for a very low salary, without this necessarily being a question of forced labour. Other examples may concern situations in which the victim is induced to beg or steal. The decisive element here is not the type of enterprise itself, but that the situation of the victim is such that he or she cannot control it, affect it or get out of it.

When it comes to trafficking in persons under the age of 18, criminal liability does not require that the perpetrator uses any improper means. It is instead enough that the perpetrator carries out a trafficking measure in order for the child to be exploited for any of the purposes covered by the scope of the provision. In cases of trafficking in children criminal liability applies even if the perpetrator was not aware of but was negligent regarding the circumstance that the victim had not attained 18 years of age.

The penalty for trafficking in human beings is imprisonment for at least two and at most ten years. If the offence is less serious, the sentence is imprisonment for at least six months and at most four years.

In March 2018 the Government presented a bill with proposals to amend the criminal provision on trafficking in human beings. The proposals were based on the proposals presented by the 2014 Anti-trafficking Inquiry (SOU 2016:70). The overall aim of the amendments proposed by the Government was to strengthen criminal law protection against trafficking in human beings for all purposes by introducing a clearer provision, better protection for children and an increase of the minimum penalty for offences which are assessed as less serious. The amendments entered into force 1 July 2018.

As of 1 July 2018, the criminal provision on trafficking in human beings Chapter 4, Section 1 a of the Swedish Criminal Code reads as follows (preliminary and unofficial translation).

Section 1a

A person who, in cases other than those referred to in Section 1, by:

1. unlawful coercion;
 2. deception;
 3. exploitation of another person's vulnerable situation that severely restricts that person's alternatives; or
 4. other such improper means that severely restrict another person's alternatives,
- recruits, transports, transfers, harbours or receives a person in order for that person to be exploited for sexual purposes, the removal of organs, military service, forced labour or some

other activity in a situation that involves distress for that person is guilty of *trafficking in human beings* and is sentenced to imprisonment for at least two and at most ten years.

A person who commits an act referred to in the first paragraph against a person who has not attained eighteen years of age is guilty of trafficking in human beings even if none of the improper means described in that paragraph was used. This also applies if the person who commits such an act did not have intent but was negligent regarding the circumstance that the other person had not attained eighteen years of age.

If an offence referred to in the first or second paragraph is less serious, the sentence is imprisonment for at least six months and at most four years. Act 2018:601.

Moreover, besides the abovementioned amendments to the criminal provision on trafficking in human beings, the Government also proposed that a new criminal provision on exploitation of human beings (in Swedish: *människoexploatering*) be introduced into the Criminal Code. The aim of this provision was to strengthen criminal law protection against exploitation of persons for work or begging, for example in the case with forced labour, in cases not covered by the scope of the provision on trafficking in human beings. The provision criminalizes, in cases other than kidnapping or trafficking in human beings, the exploitation of a person for forced labour, labour under clearly unreasonable conditions or begging by the use of improper means, such as unlawful coercion, deceit or misuse of a person's difficult situation. The penalty for the offence is imprisonment of at most four years or, if the offence is gross, imprisonment for at least two and at most ten years.

The provision on exploitation of human beings in Chapter 4, Section 1 b of the Swedish Criminal Code reads as follows (preliminary and unofficial translation).

Section 1b

A person who, in cases other than those referred to in Section 1 or 1a, by unlawful coercion, deception or exploitation of another person's position of dependence, defencelessness or difficult situation, exploits another person in forced labour, labour under clearly unreasonable conditions or begging is guilty of *human exploitation* and is sentenced to imprisonment for at most four years.

A person who commits an act referred to in the first paragraph against a person who has not attained eighteen years of age is held responsible even if no unlawful coercion, deception or exploitation of another person's position of dependence, defencelessness or difficult situation took place. This also applies if the person who commits such an act did not have intent but was negligent regarding the circumstance that the other person had not attained eighteen years of age.

If an offence referred to in the first or second paragraph is considered gross, the person is guilty of gross human exploitation and is sentenced to imprisonment for at least two and at most ten years. In assessing whether the offence is gross, particular consideration is given to whether the act concerned large-scale activities, resulted in substantial gain, or entailed particularly ruthless exploitation of another person. Act 2018:601.

Ratification of the Protocol to the ILO Convention on Forced Labour.

After having presented a bill (2016/17:93) to the parliament Sweden could in June 2017 ratify the Protocol of 2014 to the Forced Labour Convention and thereby reinforced the work to end all forms of forced labour and exploitation. A bill was presented to the parliament (2916/17:93).

Combatting trafficking in human beings for all purposes

The County Administrative Board of Stockholm previously had the task to coordinate and strengthen the work of combatting trafficking in human beings for all purposes, i.e. including forced labour. A National Task Force against Prostitution and Human Trafficking (NMT) was

also started within the framework of this assignment. Since January 2018, the coordination task of the County Administrative Board of Stockholm was transferred to the Swedish Gender Equality Agency. The transfer also included the responsibility for the work related to the task force NMT. The Agency now has the authority to work against all forms of human trafficking which means that the work against human trafficking for the removal of body organs, military service, forced labour or other activities that imply an emergency for the victim (for example exploitation through forced begging, criminal activity etc.) fall within the coordinative responsibility.

Exploitation of vulnerability, forced labour, modern slavery

In December 2017, eight authorities were given a government assignment covering 2018-2020 to develop their methods for joint control to counter fraud, regulatory violations and crime in working life. The health and safety inspectors involved in this work have received training in indicators of human trafficking. The idea is that all health and safety inspectors will take part in a training programme the Gender Equality Agency is preparing. The Swedish Work Environment Authority considers it important that inspectors can identify the phenomenon and then send signals of suspected trafficking of human beings and labour exploitation to relevant judicial authorities.

Gig economy

Several measures have been taken regarding the protection of workers in the gig economy or platform economy during the reference period.

- **A working life in change - how is the responsibility for the work environment affected?** (Governmental Inquiry, SOU 2017: 24) Among other things, the inquiry has been tasked with mapping out what trends and new forms of work that exist in Sweden today and analysing whether existing regulations on work environment are appropriate given the challenges of modern working life.
- **Government assignment: Knowledge compilations on new ways of organizing work**
The Swedish Work Environment Authority was tasked with developing a knowledge compilation of potential work environment risks related to new ways of organizing the work (for example, the use of subcontractors, digital work, sharing economy and so-called crowd-work). The Authority has reported the assignment through:
 - *Knowledge compilation New ways of organizing work (RAP 2018: 2)*
<https://www.av.se/arbetsmiljoarbete-och-inspektioner/kunskapssammanstallningar/nya-satt-att-organisera-arbetet/>
 - *Research anthology Limitless Work (RAP 2018:)*
https://www.av.se/globalassets/filer/publikationer/rapporter/granslost-arbete-en-forskarantologi-om-arbetsmiljoutmaningar-i-anknytning-till-ett-granslost-arbetsliv_rap2018_1.pdf
 - *Guidance on work environment challenges in a limitless working life*
<https://www.av.se/globalassets/filer/publikationer/broschyler/vagledning-om-arbetsmiljoutmaningar-i-ett-granslost-arbetsliv.pdf>
- **Government Assignment: Supervision effort with focus on new ways of organizing work** (Pending)
The Government has commissioned the Swedish Work Environment Authority to carry out a pilot project in the form of a supervisory effort focusing on new ways of organizing work. The Authority's annual report for 2019 (February 2020), the Authority

will submit a partial report of the assignment in February 2020 and the final report of the assignment will be submitted in February 2021.

Article 10 – The right to vocational training

Article 10§1

Requested information:

Please state what strategies and measures are adopted to match the skills acquired through vocational education and training with the demands of the labour market, especially demands resulting from globalisation and technological developments, and thus to bridge the gap between education and work.

The Committees also requested to provide up-dated information about equal treatment of non-nationals in respect of access to vocational training and higher technical and university education.

Reference is made to the previous report. The Government would also like to add the following information.

Vocational education and training

Vocational education and training are of great importance for securing national skills provision. Two prioritized development areas for Swedish Vocational Education and Training (VET) are its quality and structured cooperation between education and working life. In contrast to many other countries in Europe, there are few state-regulated professions in Sweden. Various forms of industrial certification occur in certain areas. State authorities can also lay down clearly stated recommendations about the knowledge and competences necessary to work in a given area¹. Responsibility for regulating formal vocational education ultimately lies with the Parliament and the Government. The Ministry of Education and Research (Utbildningsdepartementet) is responsible for most education, and in terms of VET, this covers upper secondary school, adult education and higher vocational education.

Upper secondary VET

Consultations with representatives from working life have been an important part of the work of reforming the upper secondary programmes which was carried out in the autumn 2011. Governing documents in the form of curricula, diploma goals and syllabuses are drawn up by the Government and by the Swedish National Agency for Education (Skolverket) and continuously revised and updated in close collaboration with different actors and stakeholder groups, such as teachers and researchers, industry representatives and the social partners. Cooperation at different levels works to bridge the gap between education and work.

¹ For example, the National Swedish Board of Health and Welfare (Socialstyrelsen) sets their guidelines in the “Basic knowledge of” for staff working with care of the elderly in the social services. (Socialstyrelsen, 2011).

National cooperation

Cooperation between education and working life, both nationally and locally, is important in developing relevant VET. There are structured forms for cooperation between the national authorities responsible for education, and representatives of the social partners, industries and other authorities in upper secondary vocational education as well as in higher vocational education.

Upper secondary education: National Programme Councils

At the national level there are 14 National Programme Councils (Nationella programråd), one for each of the 12 national vocational programmes in the upper secondary school and one for the dancer programme. In addition there is one council for the fourth year of the technology programme. These councils are permanent fora for dialogue between the National Agency for Education (Skolverket) and stakeholders concerning the quality, content and organization of VET. The National Programme Councils are advisory bodies. They contribute in making education and training more flexible and sensitive to the needs of stakeholders and complement initiatives from school governing bodies to improve matching between VET provision and labour market demand. Up to April 2016 the councils were composed by 6-10 representatives from industry, from the social partners and from some national or regional authorities. They have a three-years mandate and the members are appointed by the National Agency for Education upon recommendation of the branches' organizations.

In autumn 2016 started a new three-years mandate for the 14 councils' members and rules were modified in order to allow more stakeholders to be part of the councils. 26 adjuncts were added to the councils among which were included school principals and vocational instructors.

The National Agency for Education prepares and leads the meetings of these councils, which are held about six times a year. One plenary conference a year is organized by the National Agency for Education in order to discuss issues and topics common to all the councils. During the period 2015-2016 the councils have been involved in additional activities such a workshop about quality in work based learning (APL) where students were invited to participate, a conference about unequal gender distribution in the different vocational programmes together with school principals and counsellors. In February 2016 a conference was arranged together with the PES and the Swedish National Agency for Higher Vocational Education in order to discuss issues about competence supply to the labour market and young people's establishing on the labour market. During these years the collaboration between the councils and The Swedish Association of Local Authorities and Regions (SKL) has intensified.

Issues discussed by the National Programme Councils during the period 2015-2018 covered the following topics: the establishing of young people on the labour market after completing VET, the development of the educational programmes in order to ensure skilling and re-skilling on emerging areas within vocational field of competence, quality in the work based learning. Moreover, topics discussed by the councils on permanent basis are: contents of syllabuses and courses, information material for students, in-service training for vocational teachers, education contracts for apprentices, assessment of national need for nationally open admission to vocational education, vocational education for adults, and analyses of labour market needs.

Tertiary VET: Labour Market Council

The Labour Market Council (Arbetsmarknadsråd) is a special body linked to the Swedish National Agency for Higher Vocational Education (Myndigheten för yrkeshögskolan). The task of the Council is to support the Authority with information about the labour market: the vocational areas under development, the new qualifications that may be required, and the qualifications that need to be phased out. The members of the council, which is chaired by the

head of the Agency, are representatives of the PES and the social partners. The Council also functions as a channel to their respective organizations in terms of synchronising the Agency's analyses.

The Swedish National Agency for Higher Vocational Education has initiated work on developing networks for different industrial areas, such as green industry, community building, health care and wellness care. Meetings also take place with different representative organizations for the purpose of identifying the needs and demands of each vocational area.

Local and regional cooperation

Governing bodies and education providers operate different forms of cooperation with local companies and other organizations. This cooperation is regulated to some extent through laws and other provisions and takes place on the initiative of local and regional industries.

Cooperation in upper secondary vocational education

There must be one or several local programme councils (Lokala programråd) for cooperation between school and working life for all vocational programmes in every upper secondary school. How these councils are organized and what their tasks are, is not regulated². Common tasks are assisting the provider in arranging places for work-based learning and participating in organizing and assessing diploma projects.

One requirement for receiving a state grant in adult vocational education and apprenticeship education for adults is that the education is planned together with the PES and with companies, organizations or other stakeholders active in the industries the education relates to.

Cooperation in higher vocational education

As evident from Section above, higher VET must be developed and run in close cooperation with working life and education providers. Every education provider must appoint a steering committee for their programmes which includes representatives from working life.

Other forms of cooperation³

There are many initiatives for cooperation at the regional level between school and working life, unregulated by the State. For example, actors on the labour market have initiated Teknikcollege (Technical College) and Vård- och omsorgscollege (Health and Medical Care College), a form of cooperation within the framework of upper secondary and tertiary education. Behind the Teknikcollege is the Industrial Council (Industrirådet) and different employer and employee organizations in the technology and industrial sectors. The Teknikcollege aims to be a longterm competence provider that also works actively to promote quality in VET at upper and post-secondary levels. The Swedish Association of Local Authorities and Regions, (SKL) together with a trade union, the Swedish Municipal Workers' Union (Kommunal) and the Association of Private Care Providers (Vårdföretagarna), started a similar initiative in a college for health and medical care with a strong focus on ensuring the supply of skilled workers and further training for existing staff, and also increasing quality in work-based learning for youth and adults.

² Chapter 1, 8§ (SFS 2010:2039).

³ The Swedish college concept is extensively described in the ReferNet thematic article Innovation in VET – Sweden (Cedefop 2014b).

Cooperation in the area of skills provision

The Government has stated that coordination at regional and national level is to be developed through improved cooperation between economic growth, labour market, and educational policies. Given this background, in 2010 the Government tasked regional authorities and organisations ⁽⁴⁾ to establish regional skills platforms (Regionala kompetensplattformar) to cooperate on the provision of competence and education planning in both the short and longer term. Work in the development of regional skills platforms involves creating ways of cooperation and arenas for meeting, and the dissemination of information to different actors such as vocational educators, study and vocational counsellors and employment mediators.

Stressing the importance of regional skills provision, the Government set aside specific funding to be used from 2013 to 2016 with the aim of strengthening and developing these skills platforms. Projects aimed to support the development of innovative ways of securing skills provision in the short and longer term. Some of the projects ended in January 2017 and a final report was published 2018.

Vocational education organized by the Swedish Public Employment Service

The Labour Market Training Programme (Arbetsmarknadsutbildning) is a short vocational training programme for occupations where there is a shortage of trained people. The training programme usually takes from a few weeks up to six months but may in some cases be longer. The training is full-time. To be able to participate one need to be registered as a jobseeker at the PES. An individual can receive financial support while taking a labour market training programme. The training programme is provided by various training companies around the country, on behalf of PES.

Labour Market Training must be efficient and fulfil a strategic role in the labour market and for the provision of skills. The Government stresses that it is important to continue to improve results regarding transitions to work. In the Budget Bill for 2020 the Government propose measures to increase the number of jobs, among them increased resources for the Labour Market Training Programme.

To obtain the skills required to counteract the shortage of labour, the training is often tailor made together with a specific employer; so, called “recruitment training”. A recruitment training can be designed within an existing Labour Market Training Programme where one or more employers have expressed a need for employment and intend to employ participants. Therefore, the PES training agreement is flexible: “modules” can be added or removed in the programme according to needs. Employers concerned must also actively participate in the planning, for example give the participants the possibility for a work experience placement as a part of the programme.

Access to vocational training and higher technical and university education

To be admitted to a vocational programme in upper secondary school students must have passing grades in the subjects Swedish, or Swedish as a second language, English, mathematics and five other compulsory school subjects. Non-national children (as well as nationals), who have not achieved eligibility for a specific national programme for instance because of insufficient language skills may attend one of the introductory programmes to remedy this (Chapter 6, SFS 2010:2039). These programmes offer students an individually adapted education, which satisfies

⁴ Regional bodies for self-government (*Regionala självstyrelseorgan*), regional co-operation councils (*Regionala samverkansorgan*), or if the case these do not exist, the County Administrative Board (*Länsstyrelsen*).

their varying educational needs and provides clear educational paths. These paths may lead to entrance into the labour market, but also provide a foundation for further education by giving access to upper secondary programmes.

A non-national adult is eligible to participate in upper secondary education if (s)he is resident in the country, lacks the knowledge which the education aims at providing, and possesses the preconditions to satisfactorily complete the education (Education Act, Chapter 20, 20§). Young people are eligible for adult education from the second half of the calendar year in which they reach the age of 20, or if they have completed a national programme in the upper secondary school or equivalent education. The latter applies, for example, to students holding a vocational diploma for upper secondary school and wishing to study the courses required for entry into higher education. In the landscape of the Swedish higher education administration, the Council for Higher Education assists the higher education institutions and coordinates the admission process. The Council for Higher Education is also responsible for the evaluation of foreign credentials in the admission process. As a state authority they work to ensure non-discrimination and equal treatment in their administrative work. During the time period 1 January 2015 and 31 December 2018 no new and specific initiatives concerning equal treatment of non-nationals in respect of access to higher education have been initiated.

The National Delegation for Validation 2015–2019

Validation can facilitate skills provision in working life and contribute to more effective education and training. For the individual, validation of prior learning can open faster and more frictionless paths ahead in working life or in education and training. But access to validation is currently low, and varies between different regions, occupational fields and qualification levels. In a Council Recommendation, the Council of the European Union decided that the Member States no later than 2018 should have in place arrangements for the validation of non-formal and informal learning.

Already in November 2015 the Government appointed The National Delegation for Validation 2015–2019 in order to follow-up and support the coordinated development of validation in education and training and in working life. One of the Delegation's tasks was to prepare a proposal for a national strategy which is intended to be followed by concrete measures over the coming five years. The strategy's overall objective is that significantly more individuals should have their prior learning validated. Validation should be available across the country, at all levels of the educational system and for a broader range of qualifications in working life. The Delegation has identified the following five overarching areas that should be prioritised in the continued work on the coordinated development of validation in education and training and in working life.

- *Transferability between qualifications*: transfers between the system's various parts need to be frictionless.
- *Responsibility at national and regional level*: long-term collaboration between actors at national and regional level must be promoted
- *High quality*: clear guidelines and follow-up of validation activities must be developed in order to improve quality.
- *Resources and organization*: Stable funding and organisational solutions that provide incentives to validation should be developed within the ordinary systems.
- *Information and guidance*. With many actors offering validation of prior learning, clear and uniform information is required. Validation needs to be closely linked to a well-functioning guidance function.

In addition to the overarching priorities for the work ahead, the strategy sets out the direction for what needs to be done in working life (trade sector validation), municipal adult education, higher vocational education, higher education and with regard to regulated professions. When the Government has considered the Delegation's proposed strategy, adjustments may occur. The delegation's work will be presented at the end of December 2019. It is the Delegation's hope that the strategy set by the Government will be a powerful tool for strengthening the quality of and access to validation.

Article 10§3

Requested information:

Please describe strategies and measures (legal, regulatory and administrative frameworks, funding and practical arrangements) in place to ensure skilling and re-skilling in the full range of competencies (in particular digital literacy, new technologies, human-machine interaction and new working environments, use and operation of new tools and machines), needed by workers to be competitive in emerging labour markets.

Reference is made to the previous report. The Government would also like to add the following information.

The adult VET initiative

The adult VET initiative (Yrkesvux) started in 2009 to help adults with low level of education and either employed or at risk of unemployed to improve their human capital during the economic downturn and continued during the reference period 2015-2018. Yrkesvux is not a new form of vocational education and training but, instead, a national government initiative to stimulate municipalities to provide more vocational training. The initiative consists of governmental grants to municipalities to provide more VET for adults within the municipal adult education system. The aim is to reach those who either lack or need to complement their upper secondary education (skilling and re-skilling). Financial support is also granted for apprenticeship education within adult education and within Special needs education for adults.

During 2015 the Government allocated targeted grants amounting to SEK 50 000 SEK (appr. EUR 4 500) per single full-time position in adult vocational education. When allocating the places, the local unemployment situation was taken into account and the regions with the highest unemployment were awarded the most grants. In 2015, a total of 317019 applications were received and 76902 individuals took a course in adult vocational education. The most common training was Nursing followed by Social Care.

In fig. 1 are reported the figures for the years 2015-2017.

Fig.1 Amount single application, individuals and full-time study-place in vocational courses into the Yrkesvux initiative.

Year	Applications	Individuals	Full-time study-place
2015	317 019	76 902	39 643
2016	316 969	79 088	40 403
2017	344 351	86 117	44 388

Source: The National Agency for Education (Skolverket); Rapport 472, 2018

The initiative has undergone some reforms from the original format launched in 2009. In November 2015 the Government decided to broaden the scope of the grant that now also includes the opportunity for the social partners to apply for grants in order to develop regional support structures. The aim of these structures is to enhance cooperation between VET providers in upper secondary VET (both upper secondary school and adult education) and work places in the region. The funding scheme covers both school-based and apprenticeships schemes.

A new regulation (SFS 2016:937) introduced in 2017 and named Regional Yrkesvux replaced the VET initiative started in 2009 and allocated funds for three different educational initiatives:

- 1) Vocational education (Yrkesvux) and vocational education in combination with studies in Swedish for immigrants/Swedish as foreign language (sfi/SVA)
- 2) Apprenticeship training for adults and Apprenticeship combined with studies in Swedish for immigrants/Swedish as foreign language (sfi/SVA)
- 3) Professional driver education

Depending on which vocational field application is concerned, the grant finances a full-time study-place with SEK 30 000 (EUR 2 730), SEK 35 000 (EUR 3 180) or SEK 75 000 (EUR 6 820).

In 2016, 100 extra million SEK (appr. 9 million EUR) corresponding to 2 000 full-time places were allocated for education places combining studies in Swedish for immigrants (sfi) with vocational studies, with the aim to improve the use of vocational competencies of immigrants.

In the 2017 were allocated 901,4 million SEK (appr. 82 million EUR) for the adult vocation education grants, 78,3 million SEK (appr. 7,3 million EUR) for the vocation education in combination with studies in Swedish for immigrants; the corresponding figures for year 2018 are 1 390,3 million SEK (appr. 126 million EUR) (Yrkesvux) and 189,3 million SEK (EUR appr. 17 million EUR) (Yrkesvux in combination with sfi).

The new funding system for the vocational education for adults (Regional yrkesvux) has a bigger focus on the demands of the labour market and on the skilling needs of non-nationals compared to the first model launched in 2009. A closer cooperation with employers, branches' representatives and within municipalities ensures that competences needed by the labour market are provided by the right range of vocational education offered in the regional area of interest. The initiative is intended to offer both isolated courses in vocational subjects and vocational packages where several courses are assembled to provide the students with the suitable skills to work in a certain professional field.

Apprenticeship training for adults within municipal adult education is the part of this government initiative created to support the development and delivery of apprenticeship training to adults through municipal adult education. It is expected that participants in apprenticeship have a rapid, and successful, school-to-work transition. It should also offer adults at risk an opportunity to improve their skills and facilitate labour force entry. The initiative allows a grant of SEK 50 000 (appr. 4 500 EUR) for every full-time study-place, a grant of SEK 40 000 (appr. EUR 3 600 EUR) for the employer accepting the apprentice and a grant of SEK 3 500 (appr. 318 EUR) for the apprentice's supervisor.

During 2015, 3 000 students took part in the apprenticeship training for adults financed by the governmental funds amounting to SEK 157 million (appr. EUR 14 million). About 200 students were granted for apprenticeship education within special needs education for adults during the same year.

In 2017 when the combined education (vocational/Swedish for immigrants) was introduced in the granting programme, SEK 38,5 million (appr. EUR 3,5 million) were allocated for this combination and SEK 40,3 million (appr. 4,7 million EUR) the following year, while the apprenticeship only training was granted for a total of SEK 193 million (2017) (appr. EUR 17,5 million) and SEK 239,5 million (2018) (appr. EUR 22 million). For the Professional driver training, the Government allocated SEK 65,6 million during 2017 (appr. EUR 6 million) and SEK 160,1 million during 2018 (appr. EUR 14,5 million). The grant for every study-place in the training for professional driver in different categories (people transport/freight transport) amounted to SEK 60 000, 69 000, 95 000 (appr. EUR 5 500, 6 300, 8 600).

The National Education Agency which monitors the initiative publishes annual reports. The monitoring concerns the following aspects: student volume and range of offered vocational courses, contents and quality of education, in work based learning (APL), labour marked situation and apprenticeship training for adults (Lärlingsutbildning). A report analysing the Yrkesvux initiative was published in 2017⁵. One of the most important conclusions in the report was that there is an increasing need of combined education (vocational plus Swedish for immigrants) and that these students need more time and support to carry out their studies, which results in increased costs for the municipalities.

The first report analysing the Regional Yrkesvux initiative was published 2018. The students' volume was reported to have increased 20 % between 2017 and 2018, the number of students registered at the combined education (vocational or apprenticeship with Swedish for immigrants) had more than doubled. The courses with most applicants were in the field of Health and Social Care; the number of male students and of immigrants had increased and even the number of immigrants having a shorter stay in the country before pursuing the vocational studies had increased. This would suggest that the recruitment of immigrants in vocational education is becoming more effective. Since the initiative of Regional Yrkesvux was introduced in 2017 and the first available report has recently published, there are at this point no figures available about the effectiveness of this initiative in leading the students to employment after the completion of the studies.

Article 10§4

Requested information:

Please indicate the nature and extent of special retraining and reintegration measures taken to combat long-term unemployment as well as figures demonstrating the impact of such measures (please include detailed statistics on long-term unemployment in your country, if not provided under Article 1§1).

Reference is made to the previous report. The Government would also like to add the following information.

Measures taken to combat long-term unemployment

Please see also above, article 1§1 and in particular information on the Job and Development Guarantee and Extra Jobs.

The Job and Development Guarantee

In 2007 the programme Job and Development Guarantee was introduced. The programme was designed as a three-phased individual programme for long-term unemployed. Phase one included

⁵ Skolverket (2017), *Redovisning av insatser inom yrkesinriktad gymnasial vuxenutbildning och lärlingsutbildning för vuxna år 2016*. Dnr 2017:696...

assessment and jobseeker activities, phase two includes work experience/training and phase three, the employment phase, for those who had not found job after 450 days, included permanent, socially useful, employment mainly with a provider. In 2015, an average of appr. 103,300 persons per month participated in the programme, this compared to an average of appr. 78,000 persons per month participating in the programme in 2010. The programme in 2015 accounted for about 54 % of the average number of participants in all programmes with activity grants at the PES. To increase the outflow to work and education for long-term unemployed the programme therefore was reformed in 2016. The previous three consecutive phases of the job and development guarantee was replaced by a more individualized and less micromanaged guarantee. This reformation gave the PES the possibility to offer individuals different initiatives or measures based on everyone's needs and circumstances. This rather than providing labour market policy initiatives based on the phase the participant was in and thus how long a person has been unemployed. In 2016 the average number of participants in the programmed dropped to an average of 101,400 persons per month. The decrease of participants in the programme have continued during 2017 (99,100 persons average per month) and 2018 (93,400 persons average per month).

In 2015, about one third of the long-term unemployed participants in job and development guarantee lacked upper secondary education skills and the outflow to studies was low. In 2015 long-term unemployed, participating in the job and development guarantee's employment phase, were therefore given the opportunity to study full time for one year at Municipal Adult education, university, other higher education or higher vocational education institutions while retaining their activity grants. To increase the drive to study, for participants in the programme who lacked upper secondary education skills, the opportunity was also extended to those who had not participated in the program for as long. The extended study opportunity is a temporary investment that has been extended to December 2020 and includes only studies at elementary and upper secondary education level.

Swedish from day one

Since 2015, the Swedish study associations and folk high schools have been granted government funding for outreaching measures targeted at primarily asylum seekers with the aim to strengthen their knowledge of the Swedish language and about the Swedish society. The initiative gives the participants a meaningful activity during the asylum period and opens the door to the local civil society. An increase in the knowledge of the Swedish language leads to a faster establishment on the labour market. During the years of 2015-2018, the initiative has reached about 180 000 unique participants.

Outreaching and motivating initiatives by study associations

Since 2018, the ten Swedish study associations have been granted government funding for outreaching and motivating initiatives with the aim to inform and show possible paths to further education. The target group is foreign-born women (20 years and older) residing in Sweden, who have a low level of skills and who are not in education or on the labour market. The initiative is a step towards increasing the skills level and an establishment on the labour market for the women. The aim of the government funding is to motivate and recruit women to further education, within e.g. the folk high schools or the formal adult education. The study associations, which are part of the liberal adult education, have a flexible and individual-focused approach to education and other measures offered, allowing them to adapt the activities offered to each individual and context. The measure started in 2018 and has been allocated funds for 2018–2020.

Swedish language training for non-working parents with small children including persons on parental leave

The labour market introduction period tends to be particularly protracted for newly-arrived immigrant-women and foreign-born women. An interruption from former language studies may lead to a regression in the language development. Swedish language training for non-working parents with small children is a government initiative with the aim to improve knowledge of the Swedish language. For 2020-2022, the government has proposed new funding for newly arrived and foreign-born parents who are away from the labour market taking care of children.

Vocational education at folk high schools in occupations with shortages

During the years 2016–2019, the PES, the Swedish National Council for Adult Education and the folk high schools have been commissioned by the government to offer certain unemployed groups vocational education in occupations with shortages. The target group is long-term unemployed who participate in the PES's Job and Development Guarantee Programme and newly-arrived individuals participating in the PES's Introduction Programme. The vocational education aims to aid the unemployed to find or keep an employment as well as to counteract shortages of labour within a certain occupation. The education can be up to 24 months and is to focus on occupations that are deemed to have a shortage in labour nationally, regionally or locally. Each education should consist of activities that help the participant to find an employment within the occupation. Internships are a central component of the education.

The aim has been to establish 1 000 full year-student places yearly. In 2018, appr. 900 individuals participated in different courses within the initiative, out of which appr. 64 % were female and appr. 75 % were foreign-born. The courses have mainly been created in female dominated occupations, such as in the pedagogical sector and in the sector of health and social care.

Article 10§5

Requested information:

- 1) *Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.*

- 2) *Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.*

- 3) *Please supply statistics or any other relevant information to show how this provision is applied in practice. The main indicators of compliance with this provision are: whether the vocation training is provided free of charge or that fees are reduced; existing system for providing financial assistance (allowances, grants, loans, etc.); measures taken to include time spent on training taken by workers in the normal working hours; supervision and evaluation measures taken in consultation with social partners to ensure the efficiency of apprenticeship for young workers.*

Scope of the provisions as interpreted by the ECSR.

Paragraph 1: Provide or promote technical and vocational training for everyone, including general and vocational secondary education, university and non-university higher education and continuing training, and ensure that access to higher technical and university education is based solely on individual aptitude. Nationals of other States party lawfully resident or working regularly in the country concerned must be granted equal

access to vocational training.

Paragraph 2: Provide or promote a system of apprenticeship and other systematic arrangements for training young boys and girls, combining theory and practice. Non-nationals must be granted equal treatment, as specified in paragraph 1.

Paragraph 3: Provide or promote appropriate and readily available training facilities for adult workers and unemployed persons and special facilities for retraining adult workers in response to technological developments or new trends in employment. Non-nationals must be granted equal treatment, as specified in paragraph 1.

Paragraph 4: Provide or promote special measures for the retraining and reintegration of the long-term unemployed (those who have been out of work for twelve months or more). Non-nationals must be granted equal treatment, as specified in paragraph 1.

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Paragraph 5: Encourage full use of the facilities provided by appropriate measures such as: a. reducing or abolishing any fees or charges; b. granting financial assistance, such as study grants or low-interest loans; c. including time spent by workers on supplementary training, at their employer's request, in normal working hours;

d. ensuring that training arrangements work efficiently, through appropriate supervision, in consultation with employers' and employees' organisations.

Reference is made to the previous report. The Government would also like to add the following information.

Economic support for students

Sweden has a generous system of economic support for students, which is universal and the same for all beneficiaries. All students meeting certain basic requirements and taking a study programme that qualifies for economic support are entitled. The main forms of economic support for students are study support (loan and grant) and study assistance (grant).

Students taking upper secondary and post-secondary study programmes can obtain study support. The grant portion equals approximately 30,3 per cent of the total amount obtainable. The total amount per four-week period is approximately 10,700 SEK for 2019 (which corresponds to approximately 1,000 EUR). In addition to this total amount, certain students can obtain a supplementary loan of about 3,700 SEK per four weeks (approximately 345 EUR). Students with children can also obtain an extra child allowance. Students are allowed to have a certain independent income, at present approximately 180,000 SEK annually (approximately 17,140 EUR), without incurring any reduction of their study support.

Study support for studies at upper secondary level can be provided for up to 120 weeks and for post-secondary level for up to 240 weeks. Study support for studies at upper secondary school level can be provided to students aged over 20. There is no minimum age limit for studies at post-secondary level. The upper age limit is 56 years, regardless the study level.

In July 2017 the Government introduced the education entry grant. The grant is used by municipalities as an instrument to attract persons to begin or continue studies within the adult education system. The target group is unemployed persons, aged 25–56, who have relatively little

education and training and considerable educational need. It consists of 100 % grant and the total amount per four-week period is approximately 8 850 SEK for 2019 (approximately 820 EUR). It can be obtained for 50 weeks full time studies, in education on an elementary or secondary level.

In 2018, 21,039 students received study support for studies at compulsory level, 107,571 students received study support for studies at upper secondary level and 340,781 students received study support for studies at post-secondary level. In all, some 11,1 billion SEK (approximately 1.0 billion EUR) was paid in grants and some 18,9 billion SEK (approximately 1.8 billion EUR) was paid in loans in 2018.

Under the Study Support Act, (1999:1395), study support can be granted to both Swedish and foreign students. Study support can be granted to foreign students who are to be treated in the same way as Swedish citizens under EU law, e.g. migrant workers and their family members and non-EU citizens with long-term resident status. There are also other conditions where non-EU citizens can be treated in the same way as Swedish citizens, for example if they are holders of the EU blue card.

Study support can be granted to foreign citizens who hold a permanent residence permit in Sweden and moved here for reasons other than to study. The permanent residence permit requirement does not apply to those who have the right of residence in and enduring ties to Sweden. The right of residence can apply to EEA citizens and their family members. According to The Swedish Board of Student Finance (CSN), which is the central government agency responsible for approving and paying study support, those who have worked at least half-time for two years in Sweden are usually considered to have enduring ties. The definition of 'work' also includes the following: caring for one's own child under the age of ten, registered unemployment, participation in employment training, Swedish for Immigrants (SFI) or basic Swedish studies, and time during which the person has received sickness compensation or similar benefits.

Since the 1st of August 2017 study support can also be granted to a foreign citizen who holds a temporary residence permit according to the temporary act (Lagen (2016:752) om tillfälliga begränsningar av möjligheten att få uppehållstillstånd i Sverige).

A foreign citizen applying for a residence permit in Sweden are in general in many cases granted a permanent residence permit from the outset. Nonetheless, the Study Support Act stipulates that study support may be provided even if the permanent residence permit requirement is not fulfilled, if there are special grounds to do so.

According to CSN special grounds for foreign citizens could be for example if the citizen:

- is a refugee or a person in need of protection or has been granted a residence permit on the grounds of particularly distressing circumstances, or is a close relative of such a person;
- has children and is the cohabiting partner of a Swedish citizen, and holds a valid residence permit based on family ties to that partner;
- is under 20 years of age and, along with a parent, holds a residence permit based on family ties to a person who is resident in Sweden; or
- is under 20 years of age and has a parent who is a Swedish citizen and holds a residence permit or has right of residence based on family ties.

In 2018, almost 22 800 foreign citizens were granted the right to study support. Of these, around 15 600 held permanent residence permits and around 2 100 had the right of residence and enduring ties. That year, around 1 900 foreign citizens were granted the right to study support on special grounds. The remainder were foreign citizens who are to be treated in the same way as

Swedish citizens under EU law. Almost 89 % of all foreign citizens who applied for the right to study support in 2018 were granted that right. The proportion of applications approved is therefore relatively high and in addition, the number of foreign citizens granted Swedish study support has increased by 103 % since 2013.

Response to the 2012 conclusion of non-conformity with Article 10§5

As stated above, Sweden has a generous system of study support which is universal and the same for everyone. All students who fulfil certain basic conditions and are studying a course that give eligibility for study support are entitled to support.

Most courses which are eligible for study support are organized by the state and/or local authorities. Such courses are generally free of charge. Therefore, the forms of study support available is primarily related to the financial aid for the student's living costs. However, it is also possible to obtain support for tuition fees if the student studies abroad.

In this context it should also be mentioned that at EU level, a considerable expansion of students' rights under Community law can be noted and therefore also a corresponding expansion in the obligations of Member States. Against this background, the European Court of Justice has considered several cases on this subject. For instance, the Court has stated that it is a legitimate interest of a Member State to only grant aid to students who can show a certain degree of integration into the society of that State. Such a requirement concerning integration into society can justify restrictions in the right to study support. The Court has also recognized that every Member State is entitled to ensure that the grant of assistance to cover the maintenance costs of students from other Member States does not become an unreasonable burden which could have consequences for the overall level of assistance which may be granted by that State to students. To encourage a high degree of participation in vocational training at all levels are important. Being able to offer individuals the possibility to finance their studies is a key aspect of achieving a high participation. However, the system of requiring a permanent residence permit in Sweden for some foreign citizens to receive study support, in combination with the legal possibilities to make exceptions to the requirement where there are special grounds to do so, is transparent and proportionate. It is therefore a suitable way to define the appropriate cases in which Sweden should grant financial assistance to students in vocational training, in accordance with article 10.5 of the Charter.

Article 15 – The right of persons with disabilities to independence, social integration and participation in the life of the community

Article 15§1

Requested information:

Please indicate progress in ensuring access to and inclusion of children with disabilities into mainstream facilities. Please indicate trends in this area, including number of children with disabilities included in mainstream facilities, the number attending special schools, the number attending school on a part time basis etc. In addition, please indicate the legislative basis for inclusion and remedies in place in cases of exclusion from education on the basis of disability.

Reference is made to the previous report. The Government would also like to add the following information.

The Education system

The information below refer to pupils in compulsory Swedish school.

The Swedish education system is based on the principle of inclusion. Most children and pupils with disabilities consequently receive their education within mainstream facilities. In the academic year of 2017/18, only 1.1 % of all pupils within compulsory school received their education outside regular forms of education, i.e. in compulsory schools for pupils with learning disabilities or in special schools for children with certain disabilities.

Before admitting a child to compulsory school for pupils with learning disabilities, the Education Act specifies that a thorough investigation is to be conducted consisting of a psychological, pedagogical, medical and social evaluation of the pupil.

A pupil in compulsory school for pupils with learning disabilities can receive his or her education in the mainstream compulsory school, as integrated, if the guardians give their approval. For an integrated student who receives his or her education in another school form, the provisions of the school form in which the student is originally enrolled apply.

There are also three national and five regional special schools that are run by the State through the National Agency for Special Needs Education and Schools. During the academic year 2017/18, 650 pupils attended special Schools. Special schools offer education corresponding to compulsory nine-year comprehensive school to pupils with deafness or impaired hearing, visual impairment and additional disabilities, deafness or impaired hearing combined with severe intellectual disabilities or congenital deaf-blindness, and pupils with severe speech and language disabilities.

New national goal for disability policy

During the disability policy strategy period 2011-2016, there were three general objectives for the educational area: Every child should have the prerequisites to develop their knowledge as far as possible; to improve accessibility for children with disabilities and to improve the knowledge about disabilities and how teaching can be designed according to the pupils' needs. The Swedish school agencies overall assessment was that implemented efforts, during the period, had an impact on preschools and schools' work with children and pupils with disabilities and the ability to create accessible learning environments for the target group. At the same time, the need for continued efforts was identified.

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

In order to achieve the national goal, the implementation of disability policy shall be targeted towards four areas: the principle of universal design; shortcomings in terms of accessibility; individual support and solutions for individual support; and preventing and countering discrimination. This decision also involves several measures aiming to contribute towards the national goal for disability policy, including human rights education.

In 2016, the government initiated a three-year project aimed at increasing the competence for the UN Convention on the Rights of the Child, which includes the Swedish National Agency for Education.

The National Agency for Special Needs Education and Schools

The National Agency for Special Needs Education and Schools shall work to ensure that all children, pupils and adult students with disabilities have access to equal education in a secure environment. Support from the Agency is provided based on requests from schools and is always voluntary. This support includes special needs education advice, special needs education investigations, information about teaching aids, competence development and special needs education development activities. The Agency also devises various support materials to support the work involved in creating an accessible education and learning environment.

The National Agency for Special Needs Education and Schools is one of the government agencies working actively to involve children in its operations as part of ongoing work to develop the children's rights perspective. The Agency has a child panel to ensure that the voices of children and young people are heard within its area of operations. The aim is that children's opinions and experiences should be taken into account in the Agency's work.

In 2016, the agency launched a training material with films, texts and support for teachers to adapt teaching for pupils with neuropsychiatric disabilities. Over 100,000 people have visited the website with training material since it was launched. The agency also distributes government grants for regional educational efforts and development projects aimed at raising the school results for pupils with disabilities.

Special educational needs

The Government has carried out several initiatives to increase access to special educational needs teachers, such as the opportunity for teachers to carry out special teacher training specialising in e.g. deafness or hearing impairment, visual impairment or learning disabilities. In 2016 the Government decided on a new government grant to enable schools to employ more special educational needs teachers and to offer further training. In 2016, the Swedish National Agency for Education launched a training programme to raise teachers' special educational skills. The programme is structured around collaborative learning - teachers learn by working together and by sharing experiences. Since the start, 18,676 teachers and 1,814 special educators have participated, and the geographical spread has been good. All in all, the effort to increase the special pedagogical knowledge among teachers has been successful.

Since 2018, knowledge of neuropsychiatric disabilities is included in all special education programmes. According to the new degree objectives, students should have knowledge of neuropsychiatric difficulties and be able to apply the knowledge in different learning environments. Students should also be able to examine different scientific perspectives on neuropsychiatric difficulties.

In 2017 the Government appointed the 'Better opportunities for compulsory school pupils to achieve the minimum national knowledge requirements' inquiry with the remit of mapping and analysing schools' work in connection with support and student health, and to submit proposals in order to create better opportunities for pupils to achieve the minimum knowledge requirements. The inquiry is due to submit a report in February 2020.

Student health care

The Education Act states that all pupils in preschool class, compulsory school, compulsory schools for pupils with learning disabilities, special schools, Sami schools, upper secondary schools and upper secondary schools for individuals with learning disabilities are entitled to student health care. A well-functioning student health care contributes to pupils with disabilities being able to access teaching in an inclusive environment.

Student health care include medical, psychological, psychosocial and special needs educational support and should primarily be preventive and health promoting. In order to develop and improve preventive and health promoting activities within the student health care in schools the Government, in 2016, commissioned the Swedish National Agency for Education to support schools in such efforts.

In the 2016, the Swedish National Agency for Education was commissioned to implement efforts to strengthen and improve student health. This has included the introduction of a government grant that can be applied for by those responsible for compulsory forms of schooling, i.e. preschool classes, compulsory schools, compulsory schools for children with learning disabilities, special schools, Sami schools, upper secondary schools and upper secondary schools for individuals with learning disabilities to recruit staff within student health. These recruitments should be within the following categories: school doctor, school nurse, school welfare officer, school psychologist and special educational needs teachers.

The Swedish National Agency for Education has worked together with the National Board of Health and Welfare to draw up guidance for student health. This guidance is intended to strengthen student health work and to contribute towards the development of student health equality within the country.

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

National School Development Programmes

In 2015, the government commissioned the Swedish National Agency for Education to develop and implement national school development programmes consisting of various skills development and support efforts aimed at principals and schools. The initiatives included both targeted and general skills development efforts in various areas, including: the work of giving pupils in need of special support the efforts they need to develop their full potential.

The Swedish National Agency for Education provides a skills development initiative regarding participation, influence and equal treatment through collegial learning. The initiative relates to pupils' opportunities for participation and influence in teaching and to the school's obligation to ensure equal rights and opportunities for all pupils, regardless of their functional capacity. In evaluations of the national school development programmes, participating teachers express that they have increased their ability to adapt teaching to pupils' needs and circumstances.

On statistics

It is not possible to report statistics based on disability for preschool classes, compulsory school, upper secondary school and municipal adult education. The Swedish National Agency for Education is the government agency responsible for the official statistics within the school system, certain special education forms and other pedagogical operations. However, children with disabilities are represented in all school forms.

During the academic year 2017/18, 1,049,490 pupils attended compulsory school, 10,612 pupils in compulsory school for children with learning disabilities and 650 pupils in the national special schools.

More boys than girls attend compulsory school for children with learning disabilities. In the 2017/18 academic year 10 612 pupils attended compulsory school for pupils with learning disabilities, of whom 4 050 were girls and 6 562 were boys. A total of 650 pupils attended special school that same year, of whom 260 were girls and 390 were boys.

Special schools offer education for pupils with deafness or impaired hearing, visual impairment and additional disabilities, deafness or impaired hearing combined with severe intellectual disabilities or congenital deaf-blindness, and pupils with severe speech and language impairment.

The number of pupils in special schools has increased in recent years. During the academic year 2014/15, a total of 502 pupils attended the special school, in the academic year 2017/18 it was 650 pupils. The increase is mainly related to the group of pupils with severe language impairment.

The proportion of pupils attending compulsory school for children with learning disabilities has varied over the years. In recent years, the proportion of pupils has been just over 1 per cent. During the academic year 2017/18, 10,612 pupils attended compulsory school for pupils with learning disabilities.

The proportion of pupils in compulsory school for pupils with learning disabilities who have been integrated into compulsory school has remained constant since the 1990s. In the 2017/18 academic year, 1305 pupils were integrated into compulsory school for at least half the school time.

Special support

According to the Swedish Education Act (2010:800) special support shall be given to pupils who have difficulties in completing their education successfully. If a pupil needs special support, an action plan shall be drawn up. The pupil's need is to be assessed and the subsequent action plan shall contain information regarding the pupil's needs, what measures will be taken and how these measures will be followed up and evaluated.

During the academic year 2017/18, 5.2 % of pupils in compulsory school were covered by an action programme, which corresponds to almost 53,800 pupils. In total, 1.1 % of pupils in compulsory school received support in a special teaching group, which corresponds to about 12,000 pupils. The percentage has decreased by 0.1 percentage points compared to the previous academic year. The proportion of pupils in compulsory school who received support through individual teaching was 1.0 % for the academic year 2017/18. This corresponds to about 10 900 pupils.

The Education Act

According to the Education Act (2010:800), all children and young people shall have equal access to education within the school system irrespective of their geographical location and socioeconomic circumstances. This education shall consider the different needs of children and pupils. The Swedish education system is based on the principle of inclusion, and most pupils receive their education via compulsory school and upper secondary school.

All children and pupils have the right to progress as far as possible in their knowledge development, based on their own circumstances. If a pupil risks not achieving the knowledge requirements, he or she is entitled to support or special support. Several changes have been made to the provisions on support since 2014. For example, the provisions on special support were supplemented with provisions on support in the form of extra adaptations within the framework of ordinary teaching. An addition was made to the Education Act in 2014, whereby pupils who have difficulties achieving the various knowledge requirements or the requirements levels as a result of

a disability shall be given support that aims as far as possible to counter the consequences of their disability.

The Education Act also contains a provision that aims to create equal conditions for students with disabilities who otherwise would not have been able to reach a certain grade. By this provision, the teacher can disregard parts of the knowledge requirements when grading.

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

The preparatory work for the provision states that the choice of the pupil's guardian and proximity to home should, as far as possible, guide a pupil's school placement and that the education provider is obliged to take extensive actions to meet the pupil's need for support. The preparatory work also emphasises that exceptions from the main rule require the difficulties to be of such a nature that they can be deemed to be *significant* for the municipality. Additionally, the preparatory work states that the obvious case at which the exception on significant organisational or financial difficulties is aimed is when the school does not have enough places for everyone who wants to go there. Another example of significant organisational or financial difficulties mentioned in the preparatory work is that the school must be changed by rebuilding or extending the school unit. It could also involve additional staff being needed for a pupil where the pupil's need for support is such that it would involve significant organisational or financial difficulties for a municipality to provide this support at the desired school when the support can be provided more easily at another school.

In summary, there are thus certain situations where an exception must be made from the main rule and the pupil must be given a different place to the one requested. As mentioned initially, these exceptions are not specifically aimed at disability and nor do they mean that the pupil will not have a place, only that he or she will have a different place to the one requested.

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

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

The municipality where the pupil reside is then responsible for education being arranged for the pupil in some other way. The education provider for an independent school cannot, however, refer to organisational or financial difficulties in order not to take a pupil who needs special support if the municipality where the pupil reside pays a grant for the special support.

In July 2014 a provision was added to the Education Act whereby the municipality must allocate resources for education within the school system according to children's and pupils' various circumstances and needs. It was clarified in July 2016 that the additional amount that independent schools receive for pupils with extensive needs for special support and that is paid by the municipality where the child or pupil reside, shall be determined individually based on the child's or the pupil's needs. Additional amounts relate to compensation for the help of an assistant, adaptation of premises or other extraordinary support measures, including those aimed at children and pupils with severe learning difficulties.

Accessibility and the Discrimination Act

Since January 2015, there has been a prohibition against discrimination in the form of inadequate accessibility, which also applies to education. The Discrimination Act has subsequently been further strengthened through the expansion of protection against discrimination in the form of inadequate accessibility.

The School Inspectorate have a supervisory responsibility to ensure that the rules to prevent children and students from being subjected to violations are followed. The Equality Ombudsman exercises supervision in accordance with the Discrimination Act, while the School Inspectorate exercises supervision in accordance with the School Act.

Please see also above article 1§1, 1§2 and below article 20.

Article 15§2

Requested information:

Please provide information on progress made in ensuring persons with disabilities have access to employment on the open labour market, including recent non-discrimination measures and measures to promote employment. Please include figures on the number of persons with disabilities in employment and the number of unemployed.

Please provide up-dated information concerning obligations on the employer to take steps in accordance with the requirement of reasonable accommodation to ensure effective access to employment of persons with disabilities.

Reference is made to the previous report. The Government would also like to add the following information.

Persons with disabilities involving reduced working capacity continue to be unemployed to a greater extent than the rest of the population. At the same time, there has been an increase in the number of persons with disabilities registered with the PES. The proportion of transitions to work has improved, and a larger proportion of those who left their employment with salary contributions continue to other employment.

Compared to the previous year, however, fewer people have received salary contributions or public protected work via the PES, while at the same time the funding for this purpose has not been used. Nevertheless, it should be observed that the number of registered unemployed persons with disabilities involving reduced working capacity has also fallen, and in relation to the number of unemployed people a growing proportion receive a Wage Subsidy. The overall trend is deemed to be positive, but the need for more persons with disabilities to get into work remains considerable.

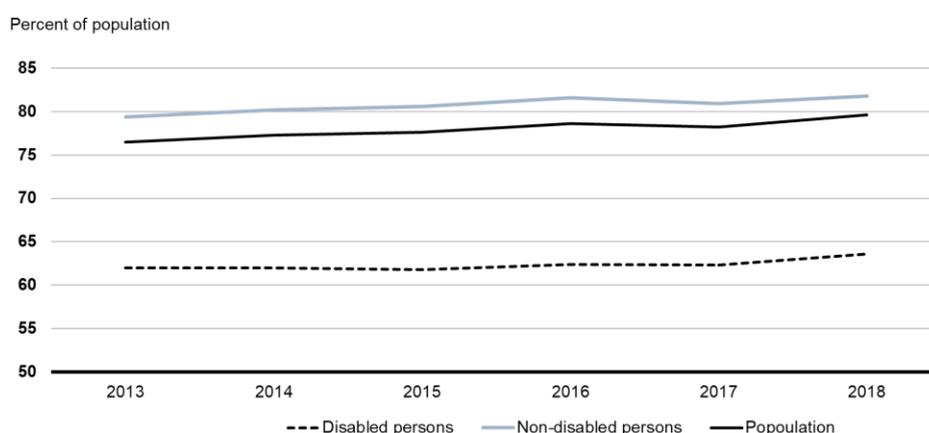
Workforce participation

Of the population aged 16–64, 85 % was part of the workforce in 2018. The corresponding figures were 71 % for persons with disabilities and 87 % for persons without disabilities. Among persons with disabilities and reduced working capacity the proportion was approximately 69 %, and approximately 78 % among persons with disabilities without reduced working capacity. According to Statistics Sweden’s investigation of the labour market situation for persons with disabilities in 2018, 12 % of those aged 16–64 stated that they had a disability. This corresponds to approximately 752 000 people, around half of whom were women and half were men. 67 % of these individuals believed their disability also resulted in reduced working capacity, corresponding to just over 507 000 people of whom 55 % were women and 45 % were men. Approximately 33 % (244 000 individuals) believed their disability did not result in reduced working capacity. Of these, 42 % were women and 58 % were men. Persons with disabilities that involve reduced working capacity are generally involved in the workforce to a lower degree, have higher levels of unemployment and have a significantly lower degree of employment than among the population on average.

Employment

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

Persons employed, by percent of population, 2013–2018



Source: Labour market situation for disabled persons, Labour Force Survey, Statistics Sweden (Funktionshinderades situation på arbetsmarknaden AKU, SCB).

Employment participation rates, percent, persons aged 16–64 years, 2013–2018

	Total	Disabled persons		Non-disabled persons	Population
		-with reduced ability to work	-without reduced ability to work		
2006	62,9 ± 1,4	56,3 ± 1,8	66,1 ± 2,1	74,3 ± 0,5	71,9 ± 0,5
2008	61,8 ± 1,4	56,1 ± 1,9	76,4 ± 1,4	76,8 ± 0,5	74,7 ± 0,5
2013	62,0 ± 2,2	54,7 ± 2,8	78,6 ± 3,6	79,4 ± 0,6	76,5 ± 0,6
2014	62,0 ± 2,4	55,2 ± 3,0	76,4 ± 4,0	80,2 ± 0,6	77,3 ± 0,6
2015	61,8 ± 2,5	54,0 ± 3,2	78,6 ± 4,1	80,6 ± 0,6	77,6 ± 0,6
2016	62,4 ± 3,1	58,4 ± 3,8	70,6 ± 5,5	81,6 ± 0,8	78,6 ± 0,7
2017	62,3 ± 2,8	56,2 ± 3,5	74,2 ± 4,8	80,9 ± 0,7	78,2 ± 0,7
2018	63,6 ± 3,1	60,3 ± 3,9	70,4 ± 5,3	81,8 ± 0,7	79,6 ± 0,6

Source: Labour market situation for disabled persons, Labour Force Survey, Statistics Sweden (Funktionshindrades situation på arbetsmarknaden AKU, SCB).

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

The proportion of the total population in full-time employment in 2018 was 78 %: 67 % of women and 87 % of men. Among persons with disabilities, 67 % worked full time: 54 % of women and 80 % of men. Among persons with disabilities and reduced working capacity, 60 % worked full time: 47 % of women and 75 % of men.

The proportion of employees and business owners is roughly the same among persons with disabilities as among the population. A somewhat larger proportion of persons with disabilities work in the municipal sector, particularly among those with reduced working capacity. Persons with disabilities work in the same professions as the population, but the proportion in management roles is lower.

A higher proportion of persons with disabilities have fixed-term employment, but the difference is not statistically proven. However, it is somewhat more common for persons with reduced working capacity to have fixed-term employment compared with the population. Within this group, the proportion of women with permanent employment is lower than the proportion of men.

Unemployment

In recent years, unemployment among persons with disabilities has been a few percentage points higher than for the population. In 2018 unemployment for persons with disabilities was around 11 %, and around 6 % for the population. Unemployment among persons with disabilities with reduced working capacity was 13 % in 2018. The corresponding proportion for persons with disabilities without reduced working capacity was 8 %.

Unemployed persons, by percentages of the labour force, 2006–2018

	Disabled persons			Non-disabled persons	Population
	Total	-with reduced ability to work	-without reduced ability to work		
2006	8,5 ± 0,8	10,9 ± 1,2	5,9 ± 0,9	6,2 ± 0,3	6,5 ± 0,2
2008	8,4 ± 0,3	10,9 ± 1,4	6,2 ± 0,2	6,4 ± 0,3	6,6 ± 0,3
2013	10,2 ± 1,7	10,8 ± 2,2	9,3 ± 2,8	8,0 ± 0,5	8,3 ± 0,4
2014	10,5 ± 1,9	12,9 ± 2,7	6,3 ± 2,4	7,5 ± 0,5	7,9 ± 0,5
2015	9,9 ± 1,9	12,8 ± 2,8	5,1 ± 2,3	7,3 ± 0,5	7,6 ± 0,5
2016	10,4 ± 2,3	10,7 ± 3,0	10,0 ± 4,0	6,8 ± 0,5	7,2 ± 0,6
2017	8,7 ± 2,1	9,9 ± 2,8	6,8 ± 3,0	6,6 ± 0,5	6,9 ± 0,5
2018	11,0 ± 2,5	12,0 ± 3,3	9,1 ± 3,9	5,9 ± 0,5	6,4 ± 0,5

Source: Labour market situation for disabled persons, Labour Force Survey, Statistics Sweden (Funktionshindrades situation på arbetsmarknaden AKU, SCB).

Since 2013, unemployment has fallen among the population. However, this trend has not been seen among persons with disabilities. There are no statistically proven differences in unemployment between 2017 and 2018, either among the population or among persons with disabilities or persons with reduced working capacity.

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

- gradually raising the ceiling for the grant-based salary costs for subsidised employment and raising the ceiling level for remuneration for persons in need of interpreting support in further training,
- increased funding for Samhall AB,
- reviewing the regulations for subsidised employment,
- work experience places with government agencies,
- information campaigns to encourage employers to focus on people skills and abilities rather than barriers and disabilities, and
- a review of regulations for specific initiatives for persons with disabilities.

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

There are several forms of subsidised employment for persons with disabilities, e.g. Salary Contributions for Development, Salary Contributions for Employment and Salary Contributions for Security, as well as Protected Employment with public sector employers within the municipality and Sheltered Employment with Samhall AB. Samhall AB is a Swedish state-owned company which aims to create meaningful work for women and men with disabilities.

With both Salary Contributions and Sheltered Employment, the PES contributes financially towards the employer's wage costs. This compensates for the employer adapting the work and the workplace, and the workplace support for the individual. The aim is to help women and men with disabilities to find and keep jobs.

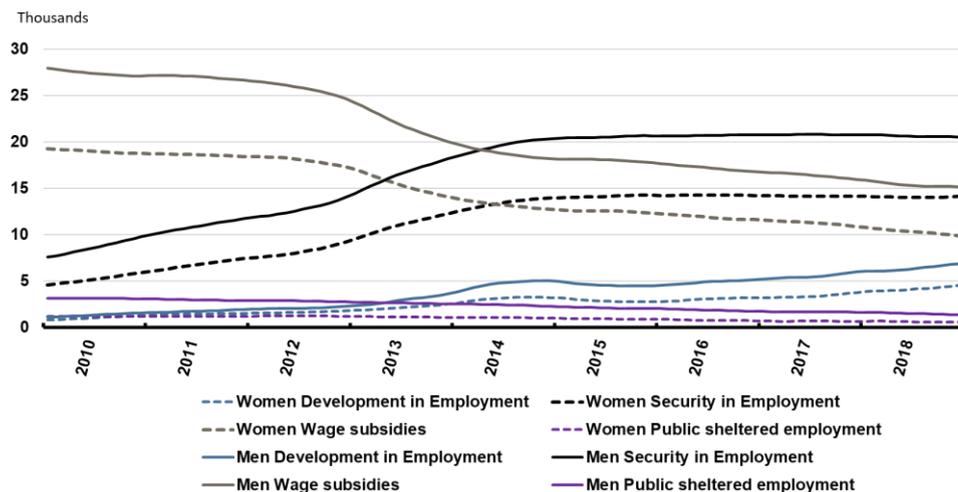
In total, the number of employed women and men with disabilities has been estimated at around 90 000 people on average per month in 2018, including Samhall AB.

Register data from PES concerning persons with functional impairment entailing reduced work capacity

	Women Men		Total	Gender distribution(%)		Percentage of total (%)		
	Women	Men		Women	Men	Women	Men	Total
Total	29 303	44 154	73 457	39,9	60,1			
<i>of which</i>								
Development benefit	4 183	6 474	10 657	39,3	60,7	14,3	14,7	14,5
Security benefit	14 102	20 694	34 796	40,5	59,5	48,1	46,9	47,4
Wage subsidise	10 375	15 444	25 819	40,2	59,8	35,4	35,0	35,1
Public sheltered employment	643	1 543	2 185	29,4	70,6	2,2	3,5	3,0
<i>Age</i>								
<25	1 300	3 307	4 606	28,2	71,8	4,4	7,5	6,3
25-44	9 944	18 169	28 113	35,4	64,6	33,9	41,2	38,3
45-64	18 059	22 678	40 738	44,3	55,7	61,6	51,4	55,5
<i>Birth</i>								
Native-born	24 203	37 136	61 339	39,5	60,5	82,6	84,1	83,5
Foreign-born	5 100	7 018	12 118	42,1	57,9	17,4	15,9	16,5
<i>Educational background</i>								
Lower secondary education	8 062	15 647	23 709	34,0	66,0	27,5	35,4	32,3
Secondary education	15 977	23 986	39 962	40,0	60,0	54,5	54,3	54,4
Tertiary education	5 265	4 521	9 786	53,8	46,2	18,0	10,2	13,3

Source: Swedish Public Employment Service.

Participants in labour market programmes for disabled persons (2010–2018)



Source: Swedish Public Employment Service.

The Government closely monitors the work begun by the PES in its gender mainstreaming efforts, including in the form of gender equality analyses of labour market policy initiatives for women and men with disabilities.

Reduced working capacity can often be compensated for via different types of support and adaptations at work. The PES therefore offers grants for aids in the workplace, grants for personal assistance, interpreters for persons with visual or hearing impairments and special support when starting a business as an alternative or in addition to subsidised employment. The PES can also offer support via a consultant for support at a new workplace. The consultant helps during a

workplace introduction. The consultant works together with the workplace to design the introduction and is responsible for the individual receiving the necessary support.

In 2018 the PES was tasked with investigating whether the term ‘reduced working capacity’ affects those to whom it refers, and if so how. The remit was reported on in November 2018. The PES of the assessment that new linguistic usage is needed, proposing that the term ‘reduced working capacity’ as currently used within labour market policy should be abolished. According to the Service, in addition to being perceived as derogatory, the current usage lacks explanatory value. Linguistic usage should instead be based on the actual prevailing situation when a person receives support or adaptations as the result of a disability. The Service chooses not to propose a replacement term, as it has found it hard to identify a single term to describe the often shifting and complex circumstances and needs for initiatives that may exist due to a disability. Instead, linguistic usage needs to vary in order to describe what is being referred to in each individual situation. This issue is being further investigated within the Government Offices.

Samhall AB plays an important part in helping people with disabilities that impair their capacity to work to be able to get a job, and who cannot get a job through other measures. The Government has decided to increase funds to the company in order to enable more people to get a job, improve possibilities to fulfil the labour market policy assignment, and create more transitions to employment positions outside the company. There has also been an initiative involving Samhall AB regarding the Wage Subsidy (Lönebidrag) for development in employment.

Article 15§3

Requested information:

Please describe the measures taken (and progress made) to ensure that persons with disabilities have the right to live independently in the community, such as the existence of available independent living schemes, sheltered housing for persons with disabilities, in-home, residential and other community support services, including personal assistance.

Reference is made to the previous report. The Government would also like to add the following information.

The Act concerning Support and Service for Persons with Certain Functional Impairments (LSS) regulates rights for persons with considerable and permanent functional impairments. Its ten measures for special support and service are to provide the person with good living conditions. Two of the measures are residential arrangements; group accommodation or service housing and personal assistance. Municipalities are obliged to establish housing with special service for those in need but has also a duty to acknowledge persons covered by the Act, what their needs are in terms of support and service and ensure that these needs are met.

According to the National Board of Health and Welfare’s status report (National board 2019) the number of people living in housing with special service in accordance with the Act concerning Support and Service for Persons with Certain Functional Impairments rose by approximately 25 per cent from 21 600 to 27 800 during the period 2007–2017. The number of people requiring special housing initiatives in accordance with the Social Services Act has remained steady at around 4 000 for several years, with a slight increase in 2017.

The Health and Social Care Inspectorate has been tasked by the Government and the parliament to inspect and issue licences for housing with special service. If a municipality does not execute a decision on a measure such as housing with special service, the Inspectorate can ask the administrative court to impose a special fine.

In addition to housing with special service, several other measures can be offered that contribute to the persons with disabilities possibilities of an independent life in their own accommodations, e.g. via home care services and day activities.

Persons with major functional impairments and extensive needs may be entitled to personal assistance for one or more personal assistants for support and help in their everyday lives and a range of activities, including outdoor activities, culture activities and work. Certain conditions of need for help with specific, basic needs must be met to be eligible for personal assistance. The individual him-/herself chooses how to organize the personal assistance, if it should be provided by an assistance company, the municipality or a cooperative. A limited number of persons choose to be their own assistance provider and employ the personal assistants themselves.

People with personal assistance receive, on an average, 130 hours of assistance per week. When the reform came into force, the Government estimated an average of 40 hours per week. Support for people who need personal assistance was however underestimated, and there are several reasons why the number of people and hours have increased, e.g.:

- people with impairments can live an independent live in their own home.
- more people survive severe sickness or accidents
- need of more personal assistance is an expression for the improvement to be able to live independent.

The financial responsibility is divided between the municipality and the state. The municipality is responsible for persons in need of personal assistance less than 20 hours a week, if more hours are needed the person may be entitled to state granted assistance benefit.

Table: Total number of persons receiving municipal and state personal assistance, disaggregated by number and gender.

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

Article 18 – The right to engage in a gainful occupation in the territory of other Parties

Article 18§1

Requested information:

- 1) *Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.*
- 2) *Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.*
- 3) *Please supply any relevant statistics or other information, if appropriate, on the rate of refusals to issue work permits in response to requests from nationals of other States party, broken down by country and whether these are first time requests or applications for renewal.*

Reference is made to the previous report. The Government would also like to add the following information

Granted work permits 2015-2018

In 2015, 13 789 work permits were granted. Subsequently, in 2016, 12 985 work permits were granted, in 2017, 16 178 were granted and in 2018, 21 489 work permits were granted. The figures cover both the decisions of the Swedish Migration Agency and the Embassies and Consulates of Sweden. In total during 2015-2018, the largest groups by country were: India (16 442 permits), Thailand (16 119 permits), China (3 376 permits), Ukraine (2 320 permits) and Turkey (1 686 permits).

Overall assessment when deciding extensions

If the conditions for a work permit, for any reason other than the termination of employment, are no longer fulfilled, the work permit must be revoked, according to Chapter 7, Section 7 e, in the Aliens Act (2005:716). This provision was introduced in 2014 to address the problems of abuse and exploitation that had been reported in previous years. The consequence of the compulsory revocation was that an assessment of the circumstances of the individual case would not be made.

According to a ruling by the Migration Court of Appeal in 2015, a similar approach would apply when considering extensions. An extension would therefore not be granted if it emerged that the conditions for the work permit were not met during the previous permit period. This ruling led to the rejection of applications for extensions due to minor deviations from the requirements. Often, the deviations were the result of small mistakes made by migrant workers' employers and public attention was attracted to the issue. Therefore, on 1 December 2017, an amendment was made in the legislation that gave the Migration Agency the possibility to refrain from revoking a work permit in cases where the employer, if the Migration Board had taken any action beforehand, remedied the deficiencies in the employment conditions that would otherwise lead to revocation. In December 2017, the Migration Court of Appeal clarified that there must be an overall assessment when deciding whether the terms of employment have been in line with the legal requirements. That led to a significant increase in the number of extensions granted in 2018.

Implementation of EU directives

On 1 March 2018, new legislation on intra-corporate transfers entered into force, implementing the European Union’s ICT Directive in national law. On 1 June 2018, new legislation on permits for seasonal work entered into force, which implemented the EU Seasonal Employment Directive in national law.

The certification of employers

In May 2017, the Migration Agency introduced the “certification system” for trusted employers. The system is a fast-track for work permits and has contributed to shorter processing times for labor migrants that are applying for work permits with certified employers. All employers that are registered in Sweden, regardless of industry, can become certified if they can show that they have a recurring need of work force from outside EU/EES and have the funds to hire. There is no fee for the employer for becoming certified.

A certification is an agreement between an employer and the Swedish Migration Agency that allows faster processing. The agreement entails that the employer submits a complete application via the web and the Swedish Migration Agency makes a decision within 20 business days.

The certification does not mean that the Swedish Migration Agency revokes or changes the conditions for granting a work permit. The basic requirements for support, and for wage- and employment conditions that are in line with collective agreements, still apply. The same applies to right of trade unions to be given an opportunity to comment on the terms of employment in each individual case.

Online portal

Since 1 August 2018, the new online portal www.workingsweden.se provides information about the Swedish labour market in a clear and easily accessible digital format. The portal was developed by the Swedish Institute and constitutes a collection of information from several public authorities and agencies for those who wish to go to Sweden to work or to run a business.

Working holiday agreements

Sweden signed Working Holiday Agreements with Chile (2016) Argentina (2017), Hong Kong (2018) and Uruguay (2018). “Working holiday agreements” imply that citizens of certain countries, aged between 18 and 30, can apply for a permit that allows them to live and work in Sweden for up to one year. They do not need a job offer when applying for a permit. Sweden has several such agreements in place with selected third countries.

Number of decided first-time requests for work permits (Council of Europe member states)

Citizenship	2015	2016	2017	2018
ALBANIA	110	137	293	497
ARMENIA	30	36	55	110
AZERBAIJAN	39	28	50	92
BOSNIA AND HERZEGOVINA	252	216	368	513
BULGARIA			1	
CROATIA	1	1		1
DENMARK				
ESTONIA				3
FRANCE		2		
GERMANY			2	1

GEORGIA	40	49	185	167
GREECE		1		
HUNGARY		1		2
IRELAND	1			
ITALY	1			
LATVIA	1		2	
LITHUANIA		1	1	2
MACEDONIA	85	134	150	199
MALTA				
MOLDAVIA	8	16	15	22
MONTENEGRO	30	23	46	46
POLAND	1	2	2	4
PORTUGAL				2
ROMANIA	2		1	
RUSSIA	219	255	301	377
SERBIA	349	384	493	588
SERBIA AND MONTENEGRO	1			
SLOVAKIA	1			
SPAIN	1	1	2	
SWITZERLAND				
TURKEY	555	526	797	937
UKRAINE	539	541	980	1444
UNITED KINGDOM	1	3	3	2
Totalsumma	2267	2357	3747	5009

Rates of approval - First time requests for work permits (Council of Europe member states)

Citizenship	2015	2016	2017	2018
ALBANIA	48%	44%	37%	52%
ARMENIA	57%	58%	53%	66%
AZERBAIJAN	38%	54%	54%	60%
BOSNIA AND HERZEGOVINA	65%	45%	59%	65%
BULGARIA				
CROATIA	0%	0%	100%	0%
DENMARK				
ESTONIA				
FRANCE	0%	50%	0%	0%
GERMANY				
GEORGIA	30%	61%	57%	60%
GREECE				
HUNGARY				
IRELAND				
ITALY	100%	0%	100%	0%
LATVIA				
LITHUANIA				

MACEDONIA	51%	0%	0%	0%
MALTA				
MOLDAVIA	75%	60%	50%	45%
MONTENEGRO	57%	54%	57%	57%
POLAND				
PORTUGAL				
ROMANIA	0%	100%	67%	0%
RUSSIA	85%	83%	79%	75%
SERBIA	72%	55%	61%	63%
SERBIA AND MONTENEGRO				
SLOVAKIA				
SPAIN				
SWITZERLAND				
TURKEY	74%	62%	70%	75%
UKRAINE	88%	50%	57%	69%
UNITED KINGDOM	0%	67%	33%	0%

Number of decided applications for extensions of work permits (Council of Europe member states)

Citizenship	2015	2016	2017	2018
ALBANIA	43	27	67	130
ARMENIA	47	33	48	46
AZERBAIJAN	46	25	36	40
BOSNIA AND HERZEGOVINA	87	96	194	229
CROATIA	8	1	1	1
FRANCE				
GEORGIA	31	17	42	46
MACEDONIA	68	45	93	101
MOLDAVIA	7	7	8	5
MONTENEGRO	15	12	26	37
POLAND				1
ROMANIA				1
RUSSIA	240	225	358	359
SAN MARINO	1			
SERBIA	177	139	283	292
SPAIN	2			
TURKEY	648	300	870	744
UKRAINE	204	182	293	393
UNITED KINGDOM	1	1		2
Totalsumma	1625	1110	2319	2427

Rates of approval - Applications for extensions of work permits (Council of Europe member states)

Medborgarskap	2015	2016	2017	2018
ALBANIA	79%	67%	67%	82%
ARMENIA	81%	76%	83%	93%
AZERBAIJAN	85%	84%	69%	75%
BOSNIA AND HERZEGOVINA	84%	57%	70%	86%
CROATIA	25%	0%	100%	0%
FRANCE				
GEORGIA	65%	29%	60%	78%
MACEDONIA	84%	87%	0%	0%
MOLDAVIA	100%	43%	63%	80%
MONTENEGRO	80%	92%	69%	81%
POLAND				
ROMANIA				
RUSSIA	91%	84%	78%	86%
SAN MARINO	100%	0%	0%	0%
SERBIA	79%	73%	68%	87%
SPAIN	50%	0%	0%	0%
TURKEY	88%	75%	66%	85%
UKRAINE	82%	69%	72%	74%
UNITED KINGDOM	100%	100%	0%	100%

Work permits granted to applicants from non-EEA states – first-time requests

Year	Received	Decisions	Approvals	Rejections	Refusal rate	Depreciated	Other
2015	18181	17076	13457	2952	17%	326	341
2016	16837	16537	12832	2886	17%	394	425
2017	18990	20429	15515	3690	18%	582	642
2018	25301	26599	20790	4435	17%	716	658

Work permits granted to applicants from non-EEA states – extensions

Year	Received	Decisions	Approvals	Rejections	Refusal rate	Depreciated	Other
2015	9985	8738	7632	766	9%	180	160
2016	9293	6647	5486	759	11%	196	206
2017	9175	12333	9066	2230	18%	573	464
2018	11130	12566	10632	826	7%	448	660

Article 18§2

Requested information:

1) Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

2) Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

3) Please supply any relevant statistics or other information on chancery dues and other charges payable by foreign workers or their employers for work and/or residence permits and on the average time taken to issue these permits.

Reference is made to the previous report. The Government would also like to add the following information.

The rules governing self-employment of foreign workers from EU/EES

An EU/EES citizen has the right to live in an EU/EES country which is not their country of origin as long as they can support themselves. This means that the EU/EES-citizen may stay in Sweden without a residence permit. The foreigner also has the right to start and run a private business.

The rules governing self-employment of foreign workers from outside EU/EES

A foreigner must have a residence permit if he/she is a citizen of a non-EU/EEA country (or Switzerland) and plan to work for a period longer than three months to start up or run their own business. The application for a residence permit is made to the Swedish Migration Agency. As self-employed, one is not allowed to take employment with any employer.

According to chapter 5, Section 10 in the Aliens Act (2005:716), one can be granted a time-limited residence permit for conducting business activities, i.e. to start or run a business. This permit has to be granted before entering Sweden. In order to obtain such a permit, the foreigner must be able to conduct the activity in question (Chapter 5, Section 5, second paragraph in the Aliens Act). The detailed requirements do not appear in law or regulation but in the Migration Agency's practice. To obtain a residence permit, one must:

- have a valid passport
- show that one has significant experience in the field and previous experience of running their own business
- have documented and relevant knowledge in Swedish and/or English
- show that the person applying is also running the business, that he/she have the ultimate responsibility for it and that he/she own at least half of the business
- show that the business' services or goods are sold and/or produced in Sweden
- show that the person has enough funds to support him/herself and, if applicable, accompanying family during the first two years equivalent to SEK 200 000 (EUR 18 765) for the individual applying, SEK 100 000 (EUR 9 383) for a spouse and SEK 50 000 (EUR 4 691) for each accompanying child
- show reliable source documentation for a budget
- show that one has established customer contacts and/or a network in Sweden
- show that the company, following a two-year probationary period, will have its finances in balance and that the entrepreneur can support him/herself and, if applicable, the family (income support is calculated according to the Swedish national standard for Income support plus housing costs).

The Swedish Migration Agency will also assess the business plans from a financial perspective.

The fees

The Swedish Migration Agency levies fees for processing cases, see section 3 in the Fees Ordinance (1992: 191). The fees charged are regulated in the Aliens Ordinance (2006: 97). The foreign missions also levy fees for applications for residence permits. They are regulated in the Ordinance concerning Charges at Swedish Foreign Missions (1997: 691). No changes were made in any of the fee levels during 2015-2018.

The applicant must pay a fee, but there is no fee for the potential employer. There is no differentiation in the fee levels between different citizenships. Exemptions from the obligation to pay the fee are made for citizens from the EU/EES, Switzerland and Japan (the last thanks to a bilateral treaty from 1970).

The Swedish residence permit for work has a maximum duration of two years (SEK 2 000 (EUR 188), or SEK 1 000 (EUR 94) for some categories, see the table below). After that, the alien may be granted an extension of the residence permit for work for an additional period of maximum two years, SEK 1 000 (EUR 94) if the permit refers to the same employer or same type of work as in a previous permit and otherwise the fee is SEK 2 000 (EUR 188).

The fee for first time applications at SEK 2 000 (EUR 188) is just below the current average processing cost of SEK 2 148 (EUR 202). Regarding extensions, the fees at SEK 1 000 (EUR 94) or 2 000 (188) is far below the current average processing costs of SEK 4 023 (EUR 377).

During 2015-2018, the fees were as follows:

Application for work permit for employees

Work permit, EU Blue Card, ICT permit, seasonal work	SEK 2,000 (EUR 188)
Extension of work permit within the same occupation or with the same employer	SEK 1,000 (EUR 94)
Extension of work permit within another occupation and with another employer	SEK 2,000 (EUR 188)

Special fees for certain occupations

Self-employed	SEK 2,000 (EUR 188)
Performer	SEK 1,000 (EUR 94)
Au pair	SEK 1,000 (EUR 94)
Athlete or coach	SEK 1,000 (EUR 94)
Working holiday visa for young people	SEK 1,000 (EUR 94)
Visiting researcher	SEK 1,000 (EUR 94)
Trainee (through international exchange programme or agreement)	SEK 1,000 (EUR 94)

Application for family members of persons applying for or holding a work permit

Adult	SEK 1,000 (EUR 94)
Child under 18 years of age	SEK 500 (EUR 47)

Processing time

The average processing times for first-time requests work permits, including rejections that were later appealed and approved by the Migration courts, were 102 days in 2015, 119 days in 2016 and 2017, and 84 days in 2018.

For certified companies the average processing times for first-time requests were 22 days in 2017, and 19 days in 2018.

For extensions, the average processing times, including rejections that were later appealed and approved by the Migration courts, were 194 days in 2015, 223 days in 2016, 309 days in 2017, and 171 days in 2018. To be noted, a labor migrant has the right to work in Sweden during the processing time.

For certified companies the average processing times for extensions were 116 days in 2017, and 42 days in 2018.

Article 20 – The right to equal opportunities and equal treaties in matters of employment and occupation without discrimination on the grounds of sex

Requested information:

Please provide up-dated information on the statutory framework guaranteeing equal pay for equal work or work of equal value with particular emphasis on the following aspects:

- rules on shifting the burden of proof in cases where pay discrimination is alleged on grounds of sex*
- rules on compensation in case of pay discrimination on grounds of sex (are ceilings applicable?)*
- does national law and practice provide for pay comparisons outside the company directly concerned?*

Please describe the job classification and promotion systems in place as well as strategies adopted and the measures taken to ensure pay transparency in the labour market (notably the possibility for workers to receive information on pay levels of other workers), including the setting of concrete timelines and measurable criteria for progress.

Please provide statistical data on the gender pay gap (adjusted and unadjusted) for all years of the reference period.

Reference is made to the previous report. The Government would also like to add the following information.

The Discrimination Act

Please see also above, article 1§1 and 1§2.

The Discrimination Act (2008:567) regulates the prohibition on discrimination on all grounds, i.e. including on the ground of sex. Discrimination includes direct discrimination, indirect discrimination, inadequate accessibility, harassment, sexual harassment and instruction to discriminate. The Act covers discrimination e.g. working life.

The Act includes the obligation for employers to work on active measures. Active measures are such as prevention and promotion measures aimed at preventing discrimination and serving in other ways to promote equal rights and opportunities regardless of e.g. sex.

Employers and employees are to cooperate in work on active measures. The employer is to provide an employee organization to which the employer is bound by collective agreement with the information required for the organization to be able to cooperate on work on active measures.

Work on active measures is to be conducted continuously. Measures are to be scheduled and implemented as soon as possible. Also, employers' work on active measures is to encompass for example provisions and practices regarding pay and other terms of employment. In order to discover, remedy and prevent unfair gender difference in pay and other term of employment, the employer is to annually survey and analyse provisions and practices regarding pay and other terms of employment that are used by the employer, and pay differences between women and men performing work that is to be regarded as equal or of equal value.

The employer is also to assess whether existing pay differences are directly or indirectly associated with gender. The analysis is to refer in particular to differences between

- women and men performing work that is to be regarded as equal
- groups of employees performing work that is or is generally considered to be dominated by women and group of employees performing work that is to be regarded as of equal value to such work but is not or is not generally considered to be dominated by women
- groups of employees performing work that is or is generally considered to be dominated by women and groups of employees performing work that is not or is generally not considered to be dominated by women but that gives high pay despite the requirement of the work being regarded as less.

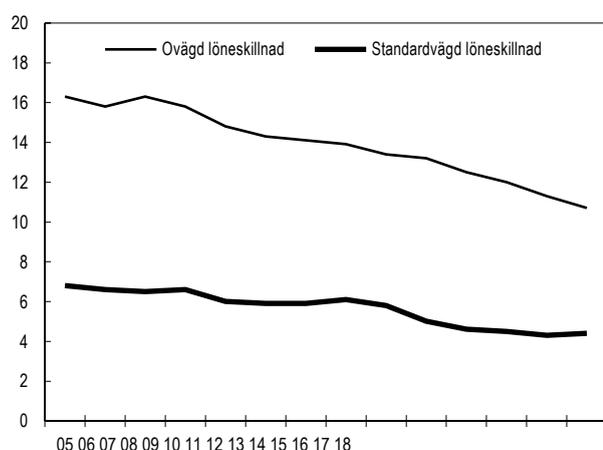
Where pay differences are found to exist, the employer is under an obligation to take the measures that are necessary to rectify the situation.

Work is regarded as of equal value to other work if it can be deemed so based on an overall assessment of the requirement and nature of the work. The assessment of the requirement of the work is to consider criteria such as knowledge and skills, responsibility and effort. In assessing the nature of the work, account is to be taken of working conditions. Employers who employed 10 or more workers at the beginning of the calendar year are to document in writing, in the course of the year, their work on pay surveys.

Statistics

A comparison between women's and men's average pay for the entire labour market in 2018, shows that women had 89,3 % of men's pay, i.e. a pay gap of 10,7 %. In 2018, the pay gap decreased with 0,6 percent units compared to 2017. The major reason for the pay gap between women and men is that women and men work in different professions and sectors. In the period

2005-2018, the pay gap has decreased with 5,6 percent units. See figure below.



The Equality Ombudsman

The Equality Ombudsman (DO), as part of its mandate, is tasked with monitoring compliance with the Discrimination Act. This includes both the Act's provisions on the prohibition of discrimination and its provisions imposing an obligation on employers to take active measures. In the latter area the DO may, if it considers that an employer has failed to meet its obligations, apply to the Board against Discrimination for an order for fulfilment to be directed to the employer. Such an order by the Board shall be combined with a conditional financial penalty. With respect to violations of the prohibition of discrimination the DO may bring a court action on behalf of a victim of discrimination for financial compensation to be paid to the individual concerned.

When it comes to burden of proof, the Act states that if a person who consider that he or she has been discriminated against or subjected to reprisals demonstrates circumstances that give reason to presume that he or she has been discriminated against or subjected to reprisals, the defendant is required to show that discrimination or reprisals have not occurred.

The Co-determination Act

The Co-determination Act contains provisions concerning the right to information (19-22§§). The employer has a duty in relation to established trade unions to keep them continuously informed of the development of the production and economy of the enterprise and guidelines for personnel policy. The employers must also give the established trade unions the opportunity to examine books, accounts and other documents to the extent that the unions need this for safeguarding the interests of their members in relation to the employer.

List of Appendices

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