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

Reports submitted in accordance with Council resolution 1988 (LX)  
by States parties to the Covenant, concerning rights covered by  
articles 13-15

SWEDEN

[16 July 1981]

I. General

The present report deals with the implementation in Sweden of articles 13, 14 and 15 of the Covenant. The figures and capital letters which appear in the following part of the present report correspond to the figures and capital letters appearing in the general guide-lines for reports on articles 13-15 of the Covenant, prepared in accordance with Economic and Social Council resolution 1988 (LX) of 11 May 1976.

II. Article 13 of the Covenant

General information about the school system in Sweden may be obtained from the following two documents:

(a) The leaflet entitled "Primary and secondary education in Sweden", published by the Swedish Institute (see annex, item 1);

(b) The Swedish national report to the International Conference on Education, XXCVII session (see annex, item 2).

A. According to chapter I, section 2, of the Instrument of Government (regeringsformen), which is one of the constitutional laws of Sweden, it is the task of the public authorities to secure the right to education. Swedish law protects the right of everybody who is resident in Sweden to obtain school education and, at the same time, it provides for nine years' compulsory school attendance. The basic provisions in this regard are laid down in the 1962 School Act (skollagen) and the 1971 School Ordinance (skolförordningen). More detailed rules are contained in the 1980 Compulsory School Curriculum (see annex, items 3 and 4, see also item 5).

B. As regards the measures envisaged under B, reference is made, in particular, to the 1980 Compulsory School Curriculum (see annex, items 3 and 4).

According to a recent Parliament decision, the Headmaster of a school shall be obliged to inform and consult with pupils and parents before taking any decisions which are of considerable importance to the pupils. This duty of information and consultation, which is in force from 1 July 1981, may concern, for instance, the forms for contacts between school and homes, school regulations, the principles to be applied in working out the school curriculum, budgetary questions, including how to use the financial means at the disposal of the school, purchase of books to the school library and the repair of school premises.

C. Everybody who is a resident of Sweden has the right to receive compulsory and free primary education. This right is fully realized not only in law but also in practice.

Special measures have been taken to assist the children of immigrants and of migrant workers. Such children have been given the right to be taught at school a language spoken in their homes (so-called home language instruction, see annex, item 6). As a rule this means that at least one parent should speak a language other than Swedish at home and that he or she should regularly speak that language to the child. In such cases, the child is entitled to be taught that language at school, but the teaching is voluntary in the sense that the parents may choose not to avail themselves of this right.

It has also been observed that the teaching of the Swedish language assumes a different character when one or more pupils are children of immigrants who have little or no knowledge of Swedish. In a recent Bill to Parliament, it has been pointed out that teachers must, therefore, also be trained to teach Swedish as a foreign language.

D. As regards secondary education, reference is made to the enclosed material (see annex, items 1 and 2).

E. As regards higher education, some important reforms have been introduced in recent years. A new Higher Education Act (högskolelag) entered into force on 1 July 1977. This Act considerably extended the right to be admitted to higher studies. Working experience is given increased weight in admitting students to such studies.

New schools for higher education have been set up in different parts of the country. This has contributed, together with the extended right of admission, to making it possible for new groups of people to engage in higher studies. The economic resources of the State do, however, impose certain limits, and it has been necessary to restrict the number of students who can be admitted to different courses or studies.

It should be observed that higher education is free of charge in Sweden and that Government student grants are widely available.

Some general information about higher education in Sweden is enclosed with the present report (see annex, items 7 and 8) as well as the text of the 1977 Higher Education Act (see annex, item 9). Certain information can also be found in the Swedish report to the International Conference of Education, XXXVII session (see annex, item 2).

F. Those who grew up in Sweden, even some decades ago, have virtually all received a fairly satisfactory primary education. There is no illiteracy in the country and the average level of education is comparatively high.

Nevertheless, a great deal has been done in recent years to give adults the possibility of engaging in further studies. Certain general information on these efforts is given in the Swedish report to the International Conference of Education, XXXVII session (see annex, item 2).

G. As regards the school system in Sweden, reference is made to some of the enclosed information material (annex, items 1, 2 and 7).

H. Tuition at all levels of the Swedish school system, including higher education, is free of charge. Student grants are widely available (as to the details, see Swedish report to the International Conference of Education, XXXVII session, as noted in the annex, item 2).

I. The salaries and other material conditions of the teaching staff are, to a very large extent, determined by collective agreements between the public authorities and the trade unions of the teachers. The teachers have, like other Swedish public and private employees, very extensive trade union rights which include the right to strike and take other industrial action.

J. The 1962 School Act expressly indicates that compulsory schooling may be carried out in a private school, provided that that school has been approved for that purpose. Such approval shall be given, if the instruction essentially corresponds to that of the public comprehensive school and if it is administered by a qualified person.

There are a number of private schools in Sweden. Some of them use special educational or pedagogical methods. Others have a special confessional character. In some schools, the teaching is in a language other than Swedish. Some private schools are boarding schools which are to a large extent attended by children of Swedes residing abroad. In many cases, private schools are subsidized by the State.

Nevertheless, private schools in Sweden play a less important part in the school system than in many other countries. The number of private schools is low and many of these schools are intended for children belonging to a particular religious, linguistic or other group. Consequently, these schools are not, in the eyes of most Swedish parents, regarded as a real alternative to the schools run by the public authorities.

The right of parents to ensure the religious and moral education of their children is safeguarded in Sweden by the absence of any restrictions on the freedom

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of the parents to give their children any education they find suitable in addition to the compulsory school. A special problem has occasionally arisen in so far as participation in teaching of a subject called "religious knowledge" in the comprehensive school is concerned. The teaching of this subject is by no means confessional, but its purpose is to give the children some basic knowledge of Christianity and other religions. Sometimes parents belonging to different religious groups have requested to have their children exempted from this part of the school curriculum. Although the teaching of "religious knowledge" is merely intended to be an objective teaching about religions, exemptions have been granted in a few cases, either collectively to children belonging to a certain church or on an individual basis.

K. There are no particular restrictions on the right to set up schools or other educational institutions in Sweden. As stated above, however, the school must, if it is to receive pupils for their compulsory schooling, be officially approved. Moreover, the National Educational Board (skolöverstyrelsen) may inspect and, if there is serious mismanagement, prohibit the further activity of any school having pupils of less than 20 years of age.

### III. Article 14 of the Covenant

The principle of compulsory primary education, free of charge for all, is, and has been for a long time, fully secured in Sweden. The basic rules about compulsory primary education are laid down in the 1962 School Act.

### IV. Article 15 of the Covenant

General information about Swedish cultural policy may be obtained from the following two documents:

(a) The leaflet entitled "Cultural Policy in Sweden - an introduction" published by the Swedish National Council for Cultural Affairs (see annex, item 10);

(b) The leaflet entitled "Swedish Cultural Policy" published by the Swedish Institute (see annex, item 11).

A. Chapter I, section 2, of the Instrument of Government provides that the cultural well-being of the individual is a fundamental objective of the activities of the public authorities. A special reference is made to the desirability of strengthening the right of ethnic, linguistic and religious minorities to preserve and develop a cultural life of their own.

In accordance with the general objectives of Swedish cultural policy, various activities are being undertaken to promote and increase the participation of individual persons in cultural life.

The State promotes the establishment of such regional institutions as theatres, museums and regional libraries.

The Swedish National Council for Cultural Affairs (Statens kulturråd) has initiated a number of development projects such as those entitled "Culture in

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Working Life" and "Culture in a Living Environment" and makes special contributions towards improving the cultural environment of different groups of people, for instance children and young people, immigrants and handicapped persons.

An important objective is to preserve Swedish culture and to make people understand and appreciate it. It is the task of the museums and of the authorities responsible for cultural monuments to give present-day people a perspective back into the past.

Another important area concerns the preservation of the cultural identity of the immigrants. In this regard, efforts are made to organize theatre activities in the languages of immigrants and to encourage the publication of periodicals and literature in foreign languages.

As regards the role of mass media in promoting participation in cultural life, reference is made to a document which contains a general survey of the Swedish press and other media (annex 12) and to two other documents dealing with Swedish radio and television (annexes 13 and 14). While the Swedish press is entirely free and has no responsibility to the State, the Swedish Radio Corporation is bound by an agreement with the State regarding the principles that should be complied with in its broadcasting activities. According to the latest agreement of that kind, which was concluded in 1979, the Swedish Radio Corporation is responsible not only for supplying culture to the public, but also for encouraging and stimulating the creation of cultural works. One way of doing this on a large scale has been to set up the so-called Neighbourhood Radio (annex 14). Another activity of an experimental character which has been initiated by Swedish radio and television is carried out by the so-called tape workshops which put technical facilities for programme production at the disposal of the public.

B. Where scientific progress is of use to the general public, the Swedish government is undoubtedly prepared to take appropriate measures to ensure everybody's right to enjoy the benefits of such progress.

In the medical field, the public health care system in Sweden is aimed at ensuring that all inhabitants receive adequate health care. This means, in principle, that where scientific progress is made in the medical field, everybody should derive the benefits from it.

A number of legislative and other measures have been taken to ensure that everyone will benefit from the scientific progress made in the field of environmental protection. Of particular importance is the 1969 Environment Protection Act (miljöskyddslagen) which aims at preventing air and water pollution as well as other acts which are harmful to the environment. The Act makes a number of activities subject to special authorization by the Environment Protection Board (koncessionsnämnden för miljöskydd) which may make its authorisation subject to various conditions aimed at reducing the harmful effects to the environment.

C. According to chapter II, section 19, of the Instrument of Government, authors, artists and photographers shall have the right to their work in accordance with provisions laid down by law. According to chapter 2, section 18, of the Instrument of Government, a holder of copyright shall be entitled to compensation if he is deprived of his right by way of expropriation or any similar measure.

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A more detailed protection of copyright and similar rights is provided by special legislation, in particular the 1960 Copyright Act (upphovsrättslagen) and the 1960 Act on Rights in Photographic Pictures (lagen om rätt till fotografisk bild). Translations of these Acts into English as well as of certain amendments to them have previously been submitted to the World Intellectual Property Organization and published in its journal Copyright.

Since the adoption of these Acts, the technological development in the media field as well as the economic and social development have been very rapid. Consequently, it has been found necessary to initiate a process for the revision of the copyright legislation. The preparations for this revision are carried out by a Government Committee composed of parliamentarians and experts in the copyright field. The revision is prepared in co-operation with the other Nordic countries, that is, Denmark, Finland, Iceland and Norway.

So far, the revision work has resulted in legislation on photocopying in schools and other educational institutions. This legislation contains provisions on the conditions under which such photocopying may take place and lays down the principle that a collective agreement between the Government and the authors' organizations on photocopying in schools and other educational institutions shall be applicable also to authors who are not members of any of the organizations concerned.

In some respects, the rights of authors and other beneficiaries are hampered by the technological development which makes it possible to make recordings - sound as well as audiovisual ones - to an extent and of a quality which were unknown some years ago. The Committee is, therefore, studying as matters of priority the provisions on the right to make copies of protected works for private use, the provisions on protection of the so-called neighbouring rights (that is, the rights of performing artists, phonogram producers and broadcasting organizations) and measures against the increasing illicit production of sound and/or audiovisual recordings.

D. One important policy objective is to satisfy the cultural needs of disadvantaged groups. The available cultural activities should be manifold. As regards libraries, attempts are made to reach as large groups of people as possible, under the motto "A book for everybody". The home language reform in schools, which has been mentioned above, is another measure which aims at preserving and strengthening cultural diversity.

Archives for sound and picture were created from 1 January 1979. Their task is to preserve radio and television programmes, films, phonograms and videograms. The archives may be used for research purposes.

E. The right to freedom of scientific research and creative activity is recognized in Sweden. Scientific research and creative activity are encouraged in many ways, for instance by financial grants and subsidies to research institutions, cultural institutions and to individual research workers, authors and artists. Certain fundamental rights, such as the right to freedom of expression and the right to freedom of information, enjoy a strong protection in Sweden and are

subject to few and well-defined exceptions, which in its turn is a strong support for research and creative activities.

P. Sweden plays an active part in international co-operation in the scientific and cultural fields. It is a member of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and a party to a number of international conventions which are aimed at promoting research and cultural activities, such as the Berne Convention for the Protection of Literary and Artistic Works, the Universal Copyright Convention, the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations and the Convention for the Protection of Producers of Phonograms against the Unauthorized Duplication of their Phonograms. The undertakings made by Sweden under these Conventions have been transformed into Swedish law.

#### Annex

#### LIST OF REFERENCE MATERIAL a/

1. Primary and Secondary Education in Sweden, November 1979
2. National Report from Sweden to the International Conference of Education, XXXVII session
3. The 1980 Compulsory School Curriculum, Stockholm, February 1980
4. A Summary of Goals and Guidelines in LGR 80, the New Primary School Curriculum, Stockholm, 1980
5. Schools and Upbringing, a special publication compiled by the Study Group on the Formation and Transmission of Moral Standard in School. The Swedish Ministry of Education and Cultural Affairs, Stockholm, 1979
6. Organisation and Planning for Home Language Instruction and Auxiliary Swedish Lessons in Compulsory School, May 1979
7. Higher Education in Sweden, August 1979
8. Higher Education and Research in Sweden 1980/81. Some facts and figures
9. Brief Survey of Higher Education in Sweden
10. Cultural Policy in Sweden - an Introduction, Stockholm, 1979
11. Swedish Cultural Policy, March 1981

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12. The Swedish Press and Other Media, January 1980
  13. Neighbourhood Radio in Sweden. Document issued by the Neighbourhood Radio Information Committee
  14. Radio and TV 1978-86, Stockholm 1978
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a/ This reference material is available for consultation in the files of the Secretariat in the original language, as received from Sweden.