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| **Response to AGE concerning implementation of MIPAA** |
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| SPF Seniorerna (Swedish Association of Senior Citizens) is an organization of seniors all over Sweden with 270 000 members. We have, when it comes to rights for seniors, close contacts with the government, relevant authorities and the local municipalities to improve the situation for elderly people.Sweden has, as we understand it, not had an integrated implementation of MIPAA, but has worked continuously to improve the human rights enjoyed by older persons. Generally we can say that older people have not been informed about MIPAA, and have in that sense not been involved in the implementation. But as a senior citizens organization we are closely following the proposals and trying to influence decisions taken at different levels in society. |
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| The specific questions are hard to answer since all of them take their starting point in MIPAA. We have instead made some general comments with the Swedish follow-up report to UNECE as a starting point. |
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| **1. Discrimination**Since January 2009 a new law against discrimination, the Discrimination Act, is in force. The Act aims to combat discrimination and promote equal rights and opportunities regardless of sex, transgender identity or expression, ethnic origin, religion or other belief, disability, sexual orientation or age. In January 2013 the law was expanded when it comes to discrimination relate to age and now includes most of services in society.  |
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| The prohibition of discrimination covers direct discrimination, indirect discrimination, harassment, sexual harassment, and instructions to discriminate. The Equality Ombudsman supervises compliance with the law and is entitled to bring a case in the courts on behalf of an individual who considers himself or herself to have been discriminated against. The concept of discrimination within the Act originates from the EU legislation on non‐discrimination.The prohibition of discrimination on grounds of age applies only to working life, educational activities, labor market policy activities and employment services not under public contract, starting or running a business, professional recognition and membership of certain organizations. The Government stated in the Government Bill (2007/08:95) that the Discrimination‐committee’s conclusions did not provide a sufficient base for further actions regarding age discrimination and that the EU law did not require such a ban either.However, the Government also stated its intention to return to these issues in another context. In August 2009 the Government appointed a special investigator with the task of proposing how protection against age discrimination could be introduced in the areas were such a protection is lacking. The aim of the investigation was to secure the same level of protection regardless of ground of discrimination. In the final report, which was submitted to the Government in August 2010, the investigator proposed that age be subject to the same basic protection as other grounds of discrimination. The investigator also proposed anexception; the ban should not prevent differential treatment on grounds of age if it has a legitimate purpose and the means that are used are appropriate and necessary to achieve that purpose, for example age limits for purchasing tobacco and alcohol.  |
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| **Comment:** In some of our laws there are fixed age limits, as for when you can buy alcohol, when you can/have to retire also. That is not considered discrimination by the Government and the Parliament and the discussions of changing these age limits are made in connection with these laws. We are trying to get some of these limits changed – as the compulsory retirement age, as well as some social benefits that you con not receive after age 65 also. |
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|  **2. Freedom of choice**In January 2009 a new act on freedom of choice for users of social services entered into force. The aim of the new legislation is to put the interest of the individual at the core of all social services policies. The free choice system is not compulsory for the municipalities but in mid-2010 over 50 percent of the Swedish population lived in municipalities which had introduced the system. |
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| **Comments:** This was a very important act, very much appreciated by seniors. After the election 2014 the new government is considering different measures to restrict this option. No decisions have been taken so far. |
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| **3.** **Open comparisons of quality in social services** In 2007 the Government initiated a system of open comparisons of quality in social services and care of elderly persons. This system facilitates elderly people’s choice of provider, supports improvement efforts and form a basis for local and national monitoring, follow up and evaluation of services and care. |
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| **Comment:** This is a very useful system and very much appreciated by our members and their relatives when they have to make choices. |
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| **4. Dignified life and feeling of well-being**To improve standards of living for fragile older persons, a new paragraph was included in the Social Services Act in January 2011. The paragraph stipulates that elderly care shall promote a dignified life and the feeling of well‐being. The aim is to highlight certain ethical principles that must permeate all elderly care, by both public and private providers. The National Board of Health and Welfare has been appointed to support the professionals in implementing these ethical principles in their daily work.  |
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| **Comment**: Implementation is ongoing, but ought to be further enhanced.  |
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| **5. Education of staff in elderly care**In order to raise the basic level of competence and to meet the demand for more specialized skills the former Government also financed a four‐year education initiative to improve the competence among staff without any formal education. |
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| **Comment:** That educational program is finished, and the current Government instead will increase the number of staff and has the ambition to involve more young people in care of the elderly. A combination of education and practical training.  |
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| **6. The situation of the most ill elderly people**The then Government begun long‐term, systematic efforts to improve the situation of the most ill elderly people, who may be in need of home health care, social services, primary care, specialist care and rehabilitation. A senior coordinator was appointed to submit proposals on how the Government can strengthen incentives and opportunities for local governments to better coordinate care and services for this group. Evaluations of several project are now available and can be used as god examples. |
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| **Comment**: This initiative is now finished. What the incumbent Government will do in this field is not known yet. |
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| **7. Further employment for people 65+** Employment is a top priority since it is a precondition for tackling the demographic challenges of an ageing population, to secure a universal welfare system and to support those who cannot participate in the labor market.Sweden has a labor market participation rate amongst 55+ which is higher than in most European countries, still the ambition is to raise that figure. Two reforms have been implemented, by the then government, to make it attractive for people to work longer. These are increased in‐work tax credit for people who are 65+ and abolishment of the special employer’s contribution for employees who are 65+. |
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| **Comment**: The current Government has already made an attempt to instead raise the special employer’s contribution for employees who are 65+. A new proposal will probably be introduced in the parliament this coming fall and will likely come in effect in January 2016. |
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| **8. Intentions and reality**Unacceptable gaps still remain between the intention of social legislation on the one hand and the living conditions experienced by many of those depending on social services on the other. Important steps to address this are to clarify legislation and develop guidelines and standards; increase the competency of the staff in relevant services; create structured systems to take care of complaints and feedback from individuals on inadequate quality of services, and to encourage cooperation between different actors. Still there are great variety in quality between municipalities and even though the elderly persons have a formal right to participate in the planning of services, the actual feeling of participation need to be strengthened e.g. by reinforced user participation at local level. |
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| **Comment:** The mandate of local Pensioner´s Advisory Councils has to be strengthened. We would like to get the right to participate in the decision-making process confirmed in law. Seniors should not only get information when the decision is taken but have the right to give their reactions in the preparation of the proposals.We think that it is important that Seniors also can be involved in the local planning, not only regarding health and social services, but in all areas e.g. physical planning transport and universal design to make society as accessible as possible. |
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| **9. Actions to adapt social protection systems to societal and demographic****changes**Due to the changing demographic situation, work commenced in the 1990s to reform the Swedish public pension system. The reform was implemented from 1999. The public old‐age pension system which has been introduced is flexible in relation to both demographic and economic fluctuations and is financially stable. An important feature of the system is that it is based on lifetime earnings. The direct link between contributions paid in and benefits paid out provides an incentive to work longer. The level of pensions is based principally on the statistical remaining life expectancy at the time of retirement. This entails that the later someone retires, the larger the pension will be. There is a statutory entitlement to remain in employment up the age of 67. The indexing of pensions and pension entitlements follows the development of incomes in society. There is also an automatic adjustment mechanism that balances the finances of the pension system in the event of unfavorable economic development. The system is autonomous and is not affected by fluctuations in the central government budget. |
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| **Comment:** The system is financially stable for the state, but not economically stable for pensioners. The automatic balancing mechanism has struck three times in five years, meaning pensions have been lowered three times. The average pensioner has lost around 46 000 SEK. All Swedish senior citizen organizations have protested intensely, but so far we have not been able to get any changes through the parliament. |
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| **10. Steps taken to achieve a sufficient income for all older persons**The incomes of Swedish pensioners come primarily from the public pension system. A tax‐funded, residence based guarantee pension is paid for those who have not themselves earned a reasonable income related pension. For those who do not qualify for a sufficiently large guarantee pension, there is a so‐called maintenance support for the elderly. Many people are also entitled to a means‐tested housing supplement. This basic protection is intended to provide pensioners with an adequate standard of living.The NGO: s pointed out that the in‐work tax credit that the then Government has introduced has led to a lower tax burden for wage earners than for pensioners. Under the in‐work tax credit, every wage earner and entrepreneur can keep a substantially greater part of his or her income from a job and entrepreneurial activities. The then Government has lowered taxes for pensioners in several steps. The tax reductions have made pensioners considerably better off, particularly those on low pensions.  |
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| **Comment:** It is correct that taxes have been lowered also for pensioners, but we still pay higher taxes than wage earners. It is unjust and unfair. All senior organizations protested strongly in the election campaign last year. The current government promised to start a three steps program to level the tax for pensioners and wage earners. So far nothing has happened. A first step will probably be decided by the parliament in the fall and go in effect as of January 2016.  |
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| **11. Digital inclusion**Information and communication technologies (ICT) presents huge opportunities. At the same time, when more and more services in society are becoming digital, there is a need for everyone to be able to make use of the opportunities that are created. Digital inclusion is increasingly essential in order to be able to take part in modern‐day society and make use of education, community services, social participation and entertainment and amusement. In Sweden, about one tenth of the population never uses or use Internet rarely. Elderly people are by far the largest group among these. |
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| **Comment:** This is, and will remain, a big problem since for more and more services you are referred to use the internet. Many bank offices do not accept cash anymore – you are supposed to use cards for payments. Several NGO´s are now lobbing to get the Parliament to take action to force the banks to also have a cash available for the public.  |