



Office of  
the Disability  
Ombudsman

2008-08-13  
Dnr 2008/1025  
Aktbilaga 2

## OHCHR REGISTRY

13 AGUT 2008

Recipients : ..A..Z.....  
                  ..I..S.....  
                  .....  
                  .....

United Nations Office at Geneva  
CH 1211 Geneva 10  
Switzerland  
Fax: +41 22 917 90 08

### Contribution from the Swedish Office of the Disability Ombudsman to the OHCHR study in relation to the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

In Sweden the Government and the Governments Office has the main responsibility in the preparation for ratification and implementation of the Convention on the Rights of Persons with Disabilities and its Optional Protocol. There is still no national authority that has got any commission by the Government to work with information or preparation for the ratification or implementation. The Office of the Disability Ombudsman therefore limits the answer to the issues concerning non-discrimination, accessibility in relation to article 5 and 9 and to monitoring in relation to article 33 of the convention.

#### *Non-discrimination and Accessibility*

The Government has made a review of the Swedish legislation with the aim to see if there is any insufficiency in relation to the convention that has to be dealt with before the ratification. The report, presenting the review, has been referred for consideration to national authorities, including the four ombudsmen against discrimination, as well as non governmental organisations, including disability organisations. The Disability Ombudsman has expressed our opinion about the report in a statement to the Government.

The four Swedish ombudsmen against discrimination (the Ombudsman against Ethnic Discrimination, the Equal Opportunities Ombudsman, the Disability Ombudsman and the Ombudsman against Discrimination on grounds of Sexual Orientation) will be merged to a single body in 1 January 2009, the Discrimination Ombudsman. At the same time the current discrimination legislation will be merged into one comprehensive discrimination law. In the new legislation the legal protection will be extended for persons with disability. The new law will include discrimination on the grounds of disability in the new areas health services, social services and social security but will not include discrimination due to lack of reasonable accommodation.

The Parliamentary Committee of Inquiry which after their review of Swedish discrimination legislation presented a proposal for a new discrimination law in 2006 included in their proposal that lack of reasonable accommodation should be regarded as discrimination of persons with disabilities. More than two third of the complaints to the Disability Ombudsman can not be referred to the discrimination legislation as they are about inaccessibility. In the

VISITORS' ADDRESS:  
S:t Eriksgatan 44  
Stockholm

POSTAL ADDRESS:  
Box 49132  
SE-100 29 Stockholm

PHONE:  
+46 8 20 17 70  
FAX:  
+46 8 20 43 53

TEXTPHONE:  
+46 8 21 39 39  
E-MAIL:  
info@ho.se

bill to the Parliament the Government writes that it needs further analyses in addition to the considerations made by the Committee. The Government therefore speedily intends to supplement these considerations with additional data regarding how to solve the issue of accessibility and get back to the Parliament.

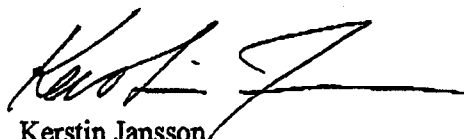
*Monitoring in relation to article 33 of the Convention*

The Government has decided about additional terms of references to the Delegation of Human Rights in Sweden. The delegation will get the task to investigate how Sweden should organise the national responsibility for promotion, protection and monitoring of the Convention as spelled out in article 33. A report should be presented to the Government not later than 1 April 2009.

OFFICE OF THE DISABILITY OMBUDSMAN



Torbjörn Andersson  
Interim Ombudsman



Kerstin Jansson  
Education and Analysis Officer