Submission to the United Nation's Committee on the Elimination of All Forms of Discrimination against Women

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List of issues and questions with regard to the combined eighth and ninth periodic reports of Sweden

Submitted by the Swedish Women´s Lobby on behalf of the Swedish CEDAW network:

The Swedish Women's Lobby (Sveriges Kvinnolobby)
Equally Unique (Lika Unika)
Everything is possible – Media Watch Group (Allt är Möjligt)
Forum – Women and Disability in Sweden (Forum - Kvinnor och funktionshinder)
Green Women (Gröna kvinnor)
International Women's Union (IKF)
Malmö Gender Equality Bureau (Malmö Jämställdhetsbyrå)
Soroptomist International of Sweden (Sverigeunionen av Soroptimistklubbar)
Swedish National Committee for UN Women (UN Women Nationell Kommitté Sverige)
The Dea Society for Women's Museums in Sweden (DEA-föreningen)
The Delta Kappa Gamma Society Sweden (Delta Kappa Gamma)
The Fredrika Bremer Association (Fredrika Bremer Förbundet)
The National Organisation for Women's Shelters and Young Women's Shelters in Sweden (Roks)
The Swedish Baha'i Community (Svenska Baha'i-samfundet)
The Swedish Medical Women's Association (Kvinnliga läkares förening)
Unizon (Unizon)
Varken Hora eller Kuvad (Varken Hora eller Kuvad)
Winnet Sweden (Winnet Sverige)
Women Can (KvinnorKan)
Women in Skaraborg (Kvinna Skaraborg)
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Article 1 – Discrimination

- ***Ensure that the CEDAW becomes Swedish legislation***

The expression *equality between women and men* is now present in the reformulated constitutional law. However, to fulfil the demands according to CEDAW the Constitution needs to be more substantive in its description and definition of discrimination of women. We urge the Government to integrate the definitions of discrimination according to CEDAW into the Swedish Constitution and to ensure that CEDAW and the Optional Protocol are made into law.

Article 2 – Policy Measures

- ***Establish a Gender Equality Agency***

The Swedish anti-discrimination legislation was reformed in 2009, and the Gender Equality Ombudsman (JämO) was merged with the Equality Ombudsman (DO). The reform resulted in a weakening of the Governments' operative gender equality work. Instead of efforts to create structural change, the work is now focused on individual cases of discrimination. The Government should give gender equality higher priority by establishing a Gender Equality Agency responsible for implementing gender mainstreaming as a strategy at both regional and national level.

- ***Establish an independent Human Rights Institution***

To eliminate the prevailing discrimination of women, active human rights work is needed. An independent Human Rights Institution should be established in accordance with the Paris Principles. Sweden has time and again been called on by the UN system to establish an independent Human Rights Institution, just as 17 other EU countries have done. By ratifying the Convention on the Rights of Persons with Disabilities, Sweden has committed itself to do so.

- ***The work with inclusion of Roma has to be gender mainstreamed***

The employment rate of the Roma population in Sweden, especially Roma women, is far below the average population. The possibilities for Roma women to obtain access to the labour market and to the education system have to be prioritized. Distinct efforts to improve the health of Roma women and to support Roma women who are subjected to violence, prostitution and trafficking are also needed.

- ***Ratify ILO Convention 169***

It is noteworthy that Sweden has not ratified the ILO Convention 169 on Indigenous and Tribal People's Rights, given the fact that the Samí is acknowledged as indigenous people in Sweden with roots dating back to the 9th century. Existing Swedish laws do not safeguard the rights of the Sami population. Instead it diminishes their possibilities to self-determination. This has a significant impact on all Samí and does not protect the rights of women and their empowerment within the Samí identity. There will be little progress for the Sami people without the ratification of ILO Convention 169.

Article 3 – Guarantee of Basic Human Rights and Fundamental Freedoms

- ***Prosecute sex crimes and introduce a sexual consent law***

Few cases of sex crimes are reported and even fewer go to court; 17 500 sex crimes were reported to the Swedish police in 2013, of which 1 175 were prosecuted. Despite a strengthening of the law in 2013, sex crimes are rarely punished. A law based on sexual consent needs to me implemented in order to strengthen the right of the victim. Moreover, education on sexual offences, gender equality and violence should be mandatory for all judges dealing with sex crimes.

- ***The work on men's violence against women has to be more effective and better coordinated***

The work against domestic violence has progressed, the level of knowledge has increased and a huge amount of material has been produced. However, more action is needed. The vast majority of women with addictive behavior are exposed to violence, but are often treated with disrespect by the Police. The attitude that women with addictive problems have themselves to blame has to be tackled. The Government must also live up to constitutional rights and protection, which includes physical integrity. Girls and women should not have to tolerate to be exposed to violence and assaults by persons in power positions such as nurturers and doctors. The efforts undertaken by the Government have not been adequately effective, qualitative and coordinated. In this work, the previously suggested Gender Equality Agency has an important and central role to play (see article 2).

Article 4 – Special Measures

- ***Ensure that all budget processes are gender mainstreamed***

The Swedish Government has adopted gender mainstreaming as the strategy to reach gender equality. To ensure that public spending is equally distributed to men and women, boys and girls, all budget processes should have a gender perspective. This applies to budgets on national, regional and local levels. Regardless of where in Sweden you live, you have the right to gender equal social service. The previously suggested Gender Equality Agency (see article 2) should function as a resource and support in the Governments and municipalities work with gender mainstreaming of budget processes.

Article 5 - Sex Role Stereotyping and Prejudice

- ***Introduce a law against gender stereotypical and sexist advertising***

Sweden does currently not have any law against gender stereotypical advertising. In order to combat the growing sexualization of the public space and the wide spread use of sexist images in advertising, a law needs to be implemented. Legislation was suggested in a governmental enquiry already in 2008 (SOU 2008:5). The results showed that a law can be implemented without threatening the freedom of expression and liberty of the press. An authority should be

given the task to monitor the application of the law and to give sanctions when applicable, such as penalty payments.

- ***Individualize the parental leave***

Women in Sweden take 75 percent of the parental leave, perform more unpaid domestic work and are to a lager extent absent from work to take care of sick l children. The previous reserved parental months for each parent is the only measure that has been effective in increasing men's parental leave. The "gender equality bonus" has not been equally effective. An individualized parental leave would strengthen women's positions in the labour market and thus pave the way for women's economic independence. It would also result in a more gender equal division of child care and domestic work, as well as strengthen the child's right to connect with both parents.

Article 6 – Prostitution

- ***Ensure protection and support for women with experience from prostitution***

The support to identify and support women and girls who experience prostitution and trafficking, has to be strengthened. There is a need for increased resources, better coordination and knowledge among stakeholders in social work, health care, police, courts and the civil society. Special attention has to be given to particularly vulnerable groups within prostitution, such as girls and women with mental illnesses, girls that use sex as self-inflicted injury and girls and women with addictive behavior.

- ***Use the penalty scale to punish sex purchase and strengthen the Sex Purchase Act***

The existing penalty scale is not applied in cases of sex purchase. Despite that the Government increased the penalty scale, no one has yet been sentenced to prison. Resources have to be allocated in order to discover sex purchases and the Police should prioritize these crimes. There is a tendency to lump together trafficking in women with pimping, which has to be avoided. Women in prostitution are turned into witnesses rather than victims of crime, whereby they are not granted the same support and security. The Sex Purchase Act also has to be extended to include Swedes who buy sex abroad.

- ***Ban surrogacy motherhood for commercial purposes***

Commercial surrogacy motherhood is a trade with women bodies and reproductive organs as well as with children. The practice is incompatible with human rights. The Government has to ban commercial surrogacy and combat the growing international trade with women and children that surrogacy motherhood has become.

Article 7 – Political and Public Life

- ***Improve the corporate governance in public corporations trough time-bound gender equality goals for boards and management teams***

Boards and management teams have to reach a gender equal representation within a given timetable. The number of women in state owned enterprises has improved through goal oriented and active corporate governance. The same approach should be implemented in boards and management groups in municipal enterprises. To reach gender equality in publically owned enterprises a quota system should be considered. The Government should also be obliged to monitor and report on gender representation within public corporations.

- ***Ensure equal gender representation within private business***

Until 2013, the private sector experienced stagnation in the number of women within their boards. All stock exchange listed companies are obliged to apply the Swedish Corporate Governance Code managed by the Swedish Corporate Governance Board. During 2014, more far-reaching demands on gender representation and time frames were stated in the Code; by year 2020, women shall constitute at least 40 per cent of the board members. The Government is requested to carefully follow and report on the development.

- ***Rewrite the Reindeer Husbandry Act***

The Sami Parliament is both a publically-elected parliament and a State agency. The tasks are regulated by the Swedish Sami Parliament Act. One of their main areas of activity is to manage the Reindeer Husbandry Act and issues concerning hunting and fishing rights, which form the basis of the economic survival of the Samí and regulates access to land. The rights of women are seriously limited by the present Reindeer Husbandry Act. Samí women often have to resort to multiple jobs in order to sustain a living for their family, resulting in unsustainable family conditions where women and men are separated for longer periods, due to reindeers moving between grazing lands. To safeguard the rights of the Samí, Sweden have to ratify ILO Convention 169, which would pave the way for reforming present Samí authorities and institutions.

Article 8 – Representation

- ***Promote that more women are nominated to high positions within the UN and the EU***

Two Swedish citizens have been given top positions within the UN since 2012; Deputy Secretary-General of the United Nations (July 2012) and Deputy Secretary-General of UNCTAD (April 2015). Both have been men. The Swedish Government has to promote and actively support that more women are nominated to high positions within the UN and the EU and report how the work proceeds. The Government's CEDAW report from 2014 is sparse when it comes to information on the number of women and men within international organizations. The UN and its organs are not even mentioned. Sweden should strongly advocate for equal career opportunities for women and men within all fields of the UN system.

Article 9 – Nationality

- ***Improve the support to women without citizenship who are subjected to violence***

Women without Swedish citizenship living in the country should be able to report abuse and get health care when subjected to violence – without risking deportation.

- ***Abolish the two-year rule***

The two-year rule, which can be found in the Swedish Aliens Act, has to be abolished and the rules to protect immigrant women subjected to violence have to be strengthened. The rule makes it possible for immigrants who live together with a Swedish citizen in Sweden to get a temporarily resident permit for two years. If the relation ends during this period, the person without Swedish citizenship has to leave the country. The rule makes it hard for women to leave abusive partners, report the violence or contact a women's shelter. Exceptions to the two-year rule can be made for victims of domestic violence, but they are too strict. Not many women meet the criterion since it requires that the woman must have been exposed to severe and repeated violence, and that she left the man in connection with the violence.

Article 10 – Education

- ***Introduce substantial measures to increase the proportion of female professors***

The number of women within higher positions of academia is low. At lower and post graduate levels, the gender balance is good, but the higher up in the hierarchy, the fewer are the women. Only one out of four professors in Sweden is a woman. The Government has to create equal career opportunities at universities by making sure objective selection criteria are applied, with due consideration to gender equality. We urge the Government to use the already existing sections of law on affirmative action to promote gender equality within academia.

- ***Ensure gender equal research financing***

Research investments and financing are to a higher degree given to men than to women. The so called Excellence Investments (*investments on strategically important research environments*) have had negative effects on gender equality. Large amounts of funding have been reallocated from women to men. The system of Excellence Investments should be abolished and transparent and objective selection criteria should be applied to ensure women are treated fairly.

Article 11 – Employment

- ***Legislate to ensure the right to full time employment***

Part time work is common within sectors dominated by women and an important explanation to women's lower income and pension. The right to full-time employment should be guaranteed by law. Full-time employment will improve women's economic independence.

- ***Analyze and map the situation for immigrant women on the labour market and increase their employment rate***

Previous efforts to improve the situation for immigrant women on the labour market have not been monitored. There is a need for evaluating which actions have been effective and which

not. The Government then has to take appropriate measures for increasing immigrant women's employment rate. Social benefits which keep immigrant women out of the labour market have to be removed, for example the so called "vårdnadsbidrag".

- ***Take action to increase the employment rate among women with disabilities***

There are large differences between women and men as well as between different municipalities when it comes to support and actions related to education and employment for persons with disabilities. Actions such as guidance, complementary education and support to find the right assistance, needs to be specifically directed towards women with disabilities.

- ***Reintroduce yearly salary mappings and gender equality plans for companies with more than 10 employees***

Sweden has not taken enough action to close the gender pay gap. Instead, the legislation has been weakened. Current regulation establishes that companies with more than 24 employees have to do salary mappings every third year. The previous regulation on yearly mappings for companies with more than 10 employees should be reintroduced, and the same regulations should be used for gender equality plans.

Article 12 – Health

- ***Examine the health-care reimbursement system from a gender perspective***

The economic reimbursement system of health-care has to be examined from a gender perspective. Several examples show a systematic economic discrimination when it comes to so called "women diseases". This indicates that the illnesses of women are of lower priority. The previous investigation of the economic reimbursement system, carried out by the National Board of Health and Welfare, was done without regard to gender as a factor. To avoid gender discrimination it is necessary to examine the system from a gender perspective.

- ***Prevent and counteract mental illnesses among young women***

Young women experience more mental illnesses than young men. Preventive measures and increased resources are needed to counteract mental illnesses and to meet the need for early detection and health-care. Young women are also overrepresented among those exposed to coercive measures. The Government ought to follow and initiate research within this area, specifically on how potential gender biases are expressed within the mental health care. Women and girls smoke more and consume more medical products than men and boys, and the use of alcohol among elderly women is increasing. The Government has to draw attention to and prevent the health effects on women and girls from alcohol, tobacco and addictive substances.

Article 13 – Economic and Social Benefits

- ***Increase the guarantee pension assurance***

The number of poor pensioners is growing in Sweden. Women and people who have immigrated to Sweden in adulthood constitute specific risk groups. Women work more part-time, earn less than men and are more often at home with sick children and relatives. Furthermore, early retirement is more common among women. According to forecasts from the Swedish Pensions Agency, the group with the lowest pensions will grow with 20 percent within the next four years. To create a fair and sustainable pension system, with pensions possible to live on, the guarantee pension (a supplement to the income pension for those who have a low or no income) needs to be increased.

- ***Increase the budget allocations to women organizations***

The Governmental funding of women organizations has been at a constant level of 28 million SEK annually during the period of 2006-2014. At the same time, organizations applying for funding have multiplied. The funding has to be increased in order for women organizations in Sweden to carry out their important work.

Article 14 – Rural Women

- ***Ensure gender equal social service in all of Sweden***

Access to services such as health care, addiction treatment, internet, transportation and education, vary depending on where in the country you live, and often on the basis of gender. The sustainable gender equality programs carried out by the Swedish Association of Local Authorities and Regions have had varied success in different parts of the country. It is the Government's responsibility to ensure that gender equal social services reach all citizens. In order for the Government to follow up on this work, the access to data disaggregated by sex is crucial.

Article 16 – Marriage and Family Life

- ***Ensure that the law against forced and child marriage is followed***

The Government has strengthened the protection against forced and child marriage and introduced the new crime forced marriage ("äktenskapstvång"). The law still allows exceptions to be made. Forced and child marriages still exists and few cases are prosecuted. The Government has to put more effort into preventative actions and to ensure that the law is followed. Marriage shall only be allowed between individuals of 18 years or older who give their full consent.