

*Submission to the United Nation's Committee on the Convention on
the Elimination of All Forms of Discrimination Against Women*

2007

**Submitted by the Swedish CEDAW-Network and the Swedish Women's
Lobby**



Foreword

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was adopted in 1979 by the UN General Assembly and came into force in Sweden in September 1981. In spite of more than 25 years of existence, it is only known to a minor part of the Swedish public.

The Swedish Government's sixth and seventh periodic report (September 2006) has been critically examined by a wide range of women's and human rights organisations in Sweden. The CEDAW Network and the umbrella organisation the Swedish Women's Lobby have in a common agreement prepared this Shadow Report that will be presented to the United Nations CEDAW Committee. The cooperation between the Network and the Swedish Women's Lobby has made a wide representation and involvement possible.

The work is combined with other activities such as education and information seminars in different regions in Sweden.

The Report has been drawn up in voluntary working groups during the period 2006- 2007 and has been compiled by Ingrid Osika, an economist working from a gender perspective.

Stockholm November 2007

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When compiling this report, we have singled out certain articles in the CEDAW Convention which we feel are the most urgent to highlight and comment on as far as Sweden is concerned.

We have used the same article headings as in the Sixth and Seventh Periodic Report by the Government of Sweden. This applies to all articles apart from Article 6, where we have decided to group Trafficking, Prostitution and Violence Against Women under the same heading.

Summary and demands

The Government's Sixth and Seventh Periodic Report talks of high ambitions with respect to gender equality in Sweden. It is clearly not a matter of a lack of ambition to change, nor a lack of projects, investigations, conferences, discussions or statistics. What is lacking, however, are concrete measures, sanctions and punishments when gender equality objectives are not met.

The Government's efforts to change attitudes should be supplemented by legislation and sanctions.

Gender budgeting

Gender budgeting is an important instrument and method for achieving equality and justice between men and women in economic matters and in the allocation of public resources.

Women carry out most of the unpaid work done in Sweden. This work is not included in GDP figures or the national accounts. It consists, among other things, of socioeconomic value creation which includes childbearing and care. In accordance with the Platform for Action, to which Sweden is a signatory, we shall calculate the extent and value of unpaid work in what are known as "satellite accounts". This has not happened.

Unpaid work should be calculated and valued.

Multiple discrimination

Many women and girls in Sweden are subject to discrimination on several grounds, known as multiple discrimination. These girls and women are discriminated because of their race, skin colour, language, religion, age, disability or national, ethnic, original or social heritage.

Those who are particularly vulnerable to multiple discrimination are the women and girls of different minority groups, such as women of immigrant background, women with disabilities and women in minority groups.

Swedish society is insufficiently equipped to deal with multiple discrimination and there is a lack of knowledge about how the different grounds for discrimination synthesize.

We demand research efforts that put the spotlight on multiple discrimination. Measures are needed in the field of legislation, in policy work and in the education and labour market sectors.

Swedish legislation

Under the Instrument of Government, Swedish legislation must not contravene Sweden's undertakings under the European Convention on the Protection of Human Rights and Fundamental Freedoms. Laws must be interpreted in accordance with the Convention and the established practice of its court (SFS 1994:1219).

Sweden has four fundamental laws. These take precedence over other laws and may only be amended following two parliamentary decisions with an intervening general election. Other laws can be amended pursuant to just one parliamentary decision. None of these fundamental laws takes a gender or gender equality perspective.

One of these fundamental laws is the Instrument of Government (SFS 1974:152). Many of the values described in Article 1 of the CEDAW Convention are in Chapters 1 and 2, in which the fundamental freedoms and rights of all people are established.

But the wording of the Instrument of Government is gender-neutral in its nature (see e.g. the Instrument of Government 1:2 and 1:16). Women and men have the same formal rights but there is woolliness as regards actual gender equality.

Women and discrimination fade into insignificance as a result. Indeed, the wording of gender equality legislation has become even weaker since 2002. Neither does the constitution discuss the indirect discrimination of women.

The Instrument of Government has been the subject of a commission of inquiry from a gender perspective. The commission found that the citizen is consistently referred to in the Instrument of Government in the masculine form, making women invisible. Neither does it distance itself from gender-related violence or make reference to the state's responsibility for ensuring it comes to an end. The difference between formal and actual gender equality needs to be elucidated.

We challenge the Government to incorporate the CEDAW Convention's definition of discrimination into the Swedish Constitution.

We also challenge the Government to examine the Freedom of the Press Act and the Fundamental Law on the Freedom of Expression from a gender perspective.

The concept of pornography as described in the Freedom of the Press Act is not based on an analysis of gender, equality or power but is instead defined as a morality issue. The Act needs to be amended to protect women and children against sexual abuse perpetrated in the name of freedom of expression.

Article 4 – Measures to accelerate equality between women and men

In 2001, the Committee recommended the Government to take special measures to increase the number of women gainfully employed in the private sector and to increase female representation in executive and decision-making bodies. Both these sectors are strongly gender-segregated and no major, measurable changes have occurred since 2001. The Government not to take any special measures to change the situation.

A government-appointed commission looked into whether, and in which case how, provisions on gender quotas on boards of directors could be introduced into Swedish law (see Section 191 of the Government's report). Quotas were seen as a way of speeding up the desired development, as female representation on boards of directors is low.

The proposal for quotas has, however, not been implemented. The Government is instead relying on the *goodwill* of private enterprise to bring about change. There are facts that contradict this. It is under the threat of quotas that private enterprise has expressed an interest in dealing with this issue itself and by initiating various projects, participation in conferences etc., has shown its *goodwill*. As a result of the Government withdrawing the threat of quotas, the tendency is for the number of women board members to fall.

We challenge the Government to introduce quotas and/or other temporary measures to increase the number of women in decision-making positions.

Article 5 – Stereotyped patterns

The Swedish media landscape is characterised by an unawareness of human rights, women's rights, stereotypes and equality between women and men. The media reproduces stereotyped patterns that conflict with political gender equality objectives. Consequently, the media preserves inequality between women and men rather than changing society towards gender equality. This is true of all media, including the news media.

Since news as a media genre is more connected to reality than, say, advertising, it is crucial that news and journalism depict women in a balanced and non-stereotyped fashion.

The political objective in Sweden is for men's violence against women to cease and for women and men to enjoy bodily integrity (Government Bill 2005/06:155 *Makt att forma samhället och sitt eget liv - nya mål för jämställdhetspolitiken [Power to shape society and one's own life - new gender equality policy objectives]*). Bodily integrity also includes "symbolic" bodily integrity, which alludes among other things to media coverage.

Media and advertising that stereotype and objectify women violate women's bodily integrity and contributes to their commercialisation and exploitation.

Gender discrimination and offensive images are not consistent with the gender equality objective or the Constitution in general, but they have so far been protected under freedom of expression and freedom of the press laws.

The Government should work strategically to combat the sexualisation of public space.

Specific measures need to be taken to make media production and media coverage more gender equal, and to increase awareness of these important issues among media owners and others active in the media industry.

The concept of "stereotypes" should be established in Sweden

Trafficking, Prostitution and Violence Against Women

Article 6 and the Committee's general recommendation 19. (The Government discusses men's violence against women in Article 3 of its report)

Violence

The number of incidents of men's violence against women being reported to the police is increasing each year. This is a consequence of both a greater willingness to report crime and an increase in actual violence against women. In 2006, 25 000 incidents of woman abuse were reported to the police. But there are many hidden statistics - only one fifth of woman abuse cases are reported to the police.

It is important that the action plan to combat men's violence against women is now implemented.

The authorities must work strategically, purposefully and systematically to combat widespread violence against women. There must be the same support offered to all violated women, regardless of where they live in the country, any disability they may have or whether or not they have an foreign background.

Give violated foreign women residence permits.

Ensure that all professionals who come into direct contact with women subjected to men's violence receive compulsory training in gender-related violence and women's human rights.

All these measures must be taken to end men's violence in society.

Rape

Reported cases of rape increase every year. But there are substantial hidden statistics since women are afraid of the questioning they are subjected to after they report the crime and during court proceedings. In rape cases, the woman is often asked offensive questions about her clothing and sexual.

Out of a total of 4 208 reported rape cases, only 226 led to a conviction. In other words, only 5 per cent of all reported rapes lead to a conviction. Poorly conducted preliminary investigations are one reason for this low number of convictions.

The Government should act to reduce the number of rapes and ensure that more rapists are convicted.

The provisions governing consent in the Swedish Penal Code (Article 6, Section 1) should be reviewed. It should be incumbent on the man to take active responsibility to ensure that the woman consents to intercourse. There should moreover be a limit established for how serious injuries a person is allowed to consent to.

Pornography depicting the abuse of women should fall under the Penal Code and not under the Freedom of Press Act.

The Child Pornography Prohibition Act is unclear as it defines children as someone whose pubertal development is incomplete or where it is clear that the 18-year age limit has not been reached.

A clear age limit of 18 years should protect all children.

A growing phenomenon in society is the increasing number of young people, and in particular girls and young women, who receive sexual invitations from adults on the internet.

This is an area which the Government should investigate immediately.

Trafficking

Trafficking in human beings and similar crimes have increased in Sweden compared to previous years. Some people subjected to trafficking are available online, where they are difficult to detect in what is known as "hidden prostitution".

Swedish anti-trafficking legislation is difficult to apply and few perpetrators are convicted. The women who fall victim to trafficking have a very hard time both during and after police investigations and court proceedings.

New legislation should focus on the exploitation scenario rather than consent.

We need an effective legal proceedings and deterrent punishment of those who subject women to trafficking for sexual purposes.

Sweden needs a national action plan for the care of trafficking victims.

Sweden should immediately ratify the Council of Europe's Convention on Action against Trafficking in Human Beings.

Honour-related violence

Thousands of young women currently live under some degree of honour-related oppression, which in some tragic cases has resulted in death. 27 per cent of girls with a foreign background attending compulsory school have restrictions on them that can be associated with honour-related oppression.

Cooperation among authorities, preventive measures and a long-term perspective are all needed to bring fast and effective help to these women and girls.

Threatened individuals' right to confidentiality must currently be renewed every year. The Government should change this rule so that the right to confidentiality is valid for several years at a time, in order to give threatened women the chance to plan their lives more for the long term.

Article 7 – Eliminating discrimination against women in the country's political and public life

The number of women who reach influential positions in the financial sector and enterprise is small. Even in the public sector and associated activities, the proportion of women is low.

Men are strongly overrepresented as chairpersons of central government boards, public administration heads and directors-general of state-owned companies as well as in public-sector executives.

Male dominance in leading positions in the business sector persists. The proportion of women on the boards of privately-owned, limited companies is 8 per cent. The proportion is slightly higher on the boards of companies listed on the stock exchange. Development is very slow. This is remarkable given that the large majority of university-educated people are women.

In these areas, the Government should quickly implement sanctions or other powerful measures to eliminate discrimination against women. The issue of quotas for company boards has been investigated and the Government must now act on it.

Article 10 Education

A gender-equal education system and gender equality education are vital to ensure that women and men have the same power to shape both society and their own lives. Women and men in Sweden choose educational programmes based on stereotyped patterns, which is then reflected on the gender-segregated labour market. Even as infants, boys and girls are affected by the gender-segregated society in which they grow up. Preschools, childcare services and schools need to be in focus to establish a change in attitudes and to increase gender equality.

Preschool and school teachers must receive sound knowledge in gender equality and gender issues and the historical and cultural background to gender inequality between women and men.

Those qualified gender educationalists that can be found working at municipalities need more support if their work is to have an impact.

Swedish upper secondary vocational programmes and higher education preparatory programmes in technology are very gender-segregated. Girls do children and leisure programmes and boys do construction, electrical engineering and energy programmes.

Upper secondary school have been neglected when it comes to efforts to change gender roles and promote gender equality. This must be rectified quickly if established gender equality objectives are to be achieved.

In Sweden, we have long experience of a well-functioning adult education system. Two thirds of all adult education students are women who have been able to improve their lives and scope for earning a living through adult education. Adult education supports individual development and self-realization and combats discrimination. Political decisions in recent years have led to the support to adult education and the number of study places being drastically reduced.

This could have serious consequences for women as they make up the majority of adult students. We demand that adult education is expanded so that all those who wish to can obtain a place.

Higher education

60 per cent of undergraduate students are women. Women still dominate nursing/care and medical programmes whilst men are to be found in technical subjects. Only slight changes have occurred and these have been women going against stereotyped career choices, whilst men still make the same choices as they have always done.

It is very important that the Government encourage men to apply to educational programmes in the care and education sectors where recruitment needs are considerable. More men in these professions would have many positive effects on both salary trends and the working environment.

It is also very important to increase gender equality skills among university teaching faculties.

IT programmes are very gender-segregated. In 2006, only 3 per cent of first-year students were women. It is particularly serious since the IT sector is an industry for the future.

The Government should implement targeted and powerful measures to increase the proportion of women in IT programmes.

A worrying trend in academia is the strong decoupling of women: Over 60 per cent of undergraduate students are women, 49 per cent of PhD students are women, 40 per cent of research assistants are women, 34 per cent of lecturers are women and 17 per cent of professors are women.

The Government objective is 40 per cent women professors!

The lack of gender balance is a clear quality issue for the academic community. Who are appointed as researchers and professors is of considerable importance from the individual's, university's and society's point of view.

Recruitment processes and funding allocation must be reviewed very thoroughly from a gender perspective. Furthermore, the Government must implement effective measures to increase the proportion of women in the upper echelons of academia.

Article 11 – Labour market and working life

The market and disposable income of Swedish women are much less than those of men and the current salary differences have remained unchanged over the last twenty years.

Furthermore, research shows that the positions occupied by women on the labour market are too low in relation to their levels of education, i.e. women are often overqualified, which obviously has a negative effect on women's salaries.

The distorted income distribution cannot be accepted in a country that strives for equality between men and women.

For many reasons, the gender-segregated labour market is a gender equality problem. The public sector is a huge employer with a clearly gender-segregated professional division, with many low-salaried women and large salary differences between women and men. The majority of men work in the private sector.

Both the vertical and the horizontal segregation on the Swedish labour market must be broken. Furthermore, special efforts must be made to promote women with immigrant backgrounds and women with disabilities on the Swedish labour market.

Many women are only offered part-time work despite them both needing and wanting to work full-time. Men are routinely offered full-time work.

Sweden needs to introduce the legal right to full-time work even for women!

Sweden has excellent gender equality legislation. The problem is that breaches of it go unpunished. Very few companies are convicted of contravening the Gender Equality Act.

The Government should introduce sanctions and supervisory measures to ensure compliance with the Gender Equality Act.

The Swedish parental insurance system is designed to support both parents' right to active participation in parenthood and on the labour market. But the system has shown itself to be a trap for women. More than 80 per cent of parental insurance is taken out by women. This has a negative impact on the salary and career development of women.

To strengthen women's position on the labour market and fathers' relationships to their children, individualised parental insurance divided equally between the parents is required.

As regards the Government's support to entrepreneurship and growth, it has emerged that most of the money goes to men and men's enterprise. Of all the funding allocated as part of regional development policy in 2007, 90 per cent went to men and only 10 per cent to women.

An evaluation by the Swedish National Federation of Resource Centers for Women established that the programmes and support systems are designed according to men's interests and men's values.

The support to women's entrepreneurship must be strengthened and be based on women's interests and conditions.

Article 12 – Health and medical services

Women in Sweden have a higher incapacity rate and are more often on sick leave than men. Research shows that career women who live in equal relationships with their male partners are less ill than those who live in relationships based on a stereotyped division of roles and responsibilities.

The Government should promote research into the causes of women's ill-health and take the necessary measures that health to improve women's health.

Several recent research reports have shown that women are discriminated against in the health service.

We expect the Government to take powerful measures to eliminate this discrimination. We also demand that more gender research be done to achieve Sweden's gender equality objective and gender equality in the health service.

The recent drastic deterioration in the mental health of women and girls is very worrying. The mental well-being of young women, women with foreign-born parents, single parent women and women with disabilities is much worse than other groups in society.

An improvement in women's mental health in Sweden is of the utmost importance. Measures and treatment must be adapted to the conditions and needs of women and resources must be allocated.

While most Swedish people's health is constantly improving, the mental health of young girls is poorer now than a decade ago. Young women have increased their alcohol and drug consumption. Attempted suicide and other self-inflicted harm have increased as has the group's vulnerability to violence and threatening behaviour.

General changes in attitude, media influence and a tougher social climate with increased pressure on individual achievements and success especially in school and working life are contributory factors to the problems we see.

The mental ill-health among girls and young women demands the highest possible attention and represents a major public health problem, which the Government must come to grips with.

We demand that the Swedish Education Act be reworked and that investments in good pupil health be mandatory. Good school health care means access to doctors, nurses, psychologists and welfare officers.

Cooperation on young people between actors such as the social services, primary care service and schools must be strengthened.

Clear efforts must also be directed at women with disabilities who might find it even more difficult to draw attention to their health problems.

The Swedish Work Environment Act and the Swedish Work Environment Authority's statutes are old-fashioned and discriminatory. This leads to women with occupational injuries being treated differently and having their benefit applications turned down more than men who have incurred occupational injuries. Chapter 2 of the Work Environment Act describes work environments and it does so almost exclusively in terms of physical working environments, while women often have people and relations as their working environment.

We demand that the Work Environment Act be reworked to eliminate this type of discrimination, Furthermore, the Government should support more research into women's work environments and occupational injuries.

Article 13 – Eliminating discrimination against women in other areas of the economic and social life of the community

In recent years, several reports have shown that women are being discriminated against in the cultural sector and in cultural policy. Today's labour market for artists in Sweden is tough but it is considerably more difficult for women to earn a living from their art than it is for men. Furthermore, many more women artists than male artists have a university education. At the same time as the Government has recently invested in form and design to profile and market Sweden, the discrimination against women in this field continues.

The Government must highlight women's social and economic conditions in the cultural sector.

Introduction

From a global perspective Sweden has come a long way in its development towards a gender-equal society. In the Social Economic Forum Gender Gap 2006 Report, where gender equality is analyzed and reviewed in 118 countries, Sweden had reached 81 per cent of the objectives of full equality between women and men.

However, we believe that there is a lot more to be done. The aim of this report is to address some of the areas where changes are required in order for women to achieve equal rights and freedoms and the same opportunities as men. The introduction will put forward some overall perspectives and present the urgent themes of gender budgeting and manifold discrimination, which should pervade all work towards equality in Sweden.

Changed timetable and new Government

The given timetable for Sweden to be reviewed by the Committee was suddenly changed, which left us with very little time to compile the shadow report.

Another complicating situation we experienced during the course of our work with the shadow report was the fact that Sweden recently changed government, leaving us unsure as to whether this would affect previous progress in the field of gender equality.

Still shortcomings in the gender equality field

Despite the advancement in gender equality from an international perspective, Sweden still experiences discrimination and inequality in many areas. Women in Sweden still have the main responsibility for unpaid work in the home and for childcare. They spend the same amount of time on paid and unpaid work. Only in situations when the husband is unemployed and the woman works full time do they spend the same amount of time doing unpaid work. The difference in paid and unpaid work among women and men makes it more difficult for women to pursue a career and has a negative impact on her salary trends and pension.

Educational choices and the labour market are strongly gender-segregated and female-dominated sectors have generally lower salaries than male-dominated ones. A third of all women work in sectors traditionally dominated by women. The male workforce has a wider range of fields or professions from which to choose than the female workforce. A majority of business sector leaders are still men and there are fewer women in top positions in Sweden than in Great Britain and the United States.

Incapacity rates in Sweden are increasing and they are higher for women than for men. Men's violence against women constitutes a major problem in society. Reported sexual crimes are increasing and new forms of violence against women have surfaced in recent years, including honour-related violence and trafficking for sexual purposes (Statistics Sweden).

The Government's gender equality work

We have to acknowledge that the Government has been both ambitious and set tough objectives in various fields. Many efforts have been realised, action plans established, methods developed and gender training of governmental staff carried out.

In the legal field, various legislative measures have been implemented and regulations introduced in several areas to reach a higher level of gender equality. However, there is a lack of effective strategies and routines to follow up how the legislation and regulations are

implemented in practice. Furthermore, the lack of sanctions for those breaking and not implementing the legislation weakens its legal impact.

The Office of the Gender Equality Ombudsman is the competent authority that monitors the gender equality legislation. Its responsibility is to monitor the extent to which companies and organisations fulfil their obligations concerning equality as regulated in the gender equality legislation. The County Council Administrative Boards- regional governmental offices - are responsible for monitoring the objectives stipulated in the equality policy but they lack formal supervisory power, financial resources or any other means to execute this task.

The Government seems to trust the goodwill of companies and individual enthusiasts concerning the work towards equality in Sweden. Too few business executives and decision-makers take the gender issues seriously.

Attitudes and norms in society need to change. Current attitudes are particularly evident in the media where women and men often are depicted in a stereotyped way. We are convinced that massive investments are needed to change attitudes to and norms of gender equality in order to eliminate the remaining discrimination of women.

Gender budgeting

Gender budgeting is a way of promoting equality and justice between women and men in the economic sphere and regarding the allocation of public resources.

The introduction to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and under Articles 1, 3 and 13 of the same Convention clearly state that discrimination against women in the field of economics is prohibited. Under Article 3, the Convention urges states parties to undertake all appropriate measures including legislation to ensure fundamental freedoms and equality in the field of economics. Article 14 takes up the issue of unpaid work, which has a huge socio-economic value and is mainly performed by women. Both the paid and unpaid economies are essential elements of gender budgeting. Cutbacks in the public sector often lead to an increase in women's unpaid work load.

The urgent need to introduce gender budgeting is supported in the Platform for Action under Paragraphs *F – Women and economics*, *G – Women's impact* and *H – Organisation and equality work at national level*.

Gender budgeting in the Government's periodic report

The Government describes the objectives for economic equality between men and women in several paragraphs in its periodic report. This should be achieved through gender mainstreaming of the national budget and in the budget process, i.e. gender budgeting. Section 7 of the report presents the new gender equality objectives from 2006. One of the subsidiary objectives is economic gender equality. Section 15 states that the focus for the work towards gender mainstreaming during 2006 should be on the budget process. Paragraphs 16, 63 and 313 also describe the Government's work towards economic gender equality and gender budgeting.

A large socio-economic value is created by the unpaid work mainly performed by women and which is a consequence of women's child rearing. This constitutes a relatively invisible form of value creation in today's society. The fact that mainly women's large share of socio-

economic value creation is unpaid and underpaid, and to some extent invisible, is a result of economic theories and society's economic organisation. The system was created and developed by men and for men over the course of hundreds of years.

It is high time a gender perspective on economics was introduced. All economic programmes in the country should integrate a gender perspective.

The whole national budget, including county council and municipal budgets, should be gender mainstreamed annually together with the budget process. Moreover, all changes in economic policies in Sweden should be analysed from a gender perspective.

The Government should clarify their intension on gender budgeting and spell out their strategies for future work.

Multiple discrimination

Many women and girls experience discrimination on several grounds, known as "multiple discrimination". This involves discrimination based on features other than gender, such as race, skin colour, language, religion, political or other views, disability, nationality or ethnic origin, sexual orientation, property ownership, decency, age or other position.

The overall objective of the Government's gender policy is that women and men should have equal opportunity to participate in and exercise influence over society and their own lives irrespective of age, ethnicity, disability, etc. The gender perspective should be mainstreamed into all areas of policies and every government ministry and central agency.

Among those who are particularly vulnerable to multiple discrimination are women and girls from different minority groups such as women with foreign background, women with disabilities, Roma or Sami women. We believe that the current regulatory framework is inadequate to deal with multiple discrimination and that there is a lack of knowledge about how different grounds for discrimination interact.

The Council of Europe Commissioner for Human Rights brought attention to this problem in April 2007 and recommended the authorities take powerful measures to combat it. In the European Union there are projects run by the EU Commission against multiple discrimination. A preliminary report shows that there is a general lack of investigations and data on a wider scale to make multiple discrimination more visible.

In this report, we list some of the areas where the Government has either partly or entirely failed to fulfil its commitments to forming a gender-equal society. We also highlight the major problems and present some suggestions on how to continue with building a fully gender-equal democratic society.

Article 2 – Obligation to eliminate discrimination against women

Under Article 2 of the Convention, Sweden has undertaken to embody the principle of equality of men and women in its national constitution. Below we indicate areas where Sweden has not fully succeeded in fulfilling this commitment.

Introduction

Sweden has political objectives, laws and regulations aimed at ensuring equal treatment and equal opportunities regardless of gender, ethnic and cultural background, sexual orientation and disability. An ongoing review of the Swedish Constitution shows, however, that it is gender-blind. Indeed, the wording on gender equality in the Constitution has been made even weaker since 2002. The law is old-fashioned and reflects a 1970s view of women's rights and equality.

Compensatory legislation

The legislative acts that ensure women's rights, in particular on the labour market, in education and higher education, are presented under Article 2 of the Sixth and Seventh Periodic Report by the Government of Sweden. These acts should be looked upon as compensatory legislation, enacted as a result of the long-time unfavourable treatment of women.

The Swedish Constitution

Article 2a-2b, Section 22 of the Government's report refers to the Swedish Constitution as an instrument against gender discrimination. Sweden has four fundamental laws: the Instrument of Government from 1974, the Freedom of the Press Act from 1949, the Fundamental Law on Freedom of Expression from 1991 and the Act of Succession from 1810. None of these fundamental laws takes a gender or gender equality perspective.

The Instrument of Government under review

In 2004, the Government decided to review one of the fundamental laws, the Instrument of Government (*A comprehensive review of the Instrument of Government, Committee Directive 2004:96*). This document regulates the basic principles of the form of government and human rights. A parliamentary committee was formed whose main focus so far has been to strengthen and reinforce the Swedish democratic system, to increase public confidence in the functioning of democracy and to increase election turn-out. The review shall be completed by 31 December 2008.

The Instrument of Government states that women and men have equal formal rights (*de jure*) but there has been some uncertainty about how the committee should deal with the Instrument of Government in relation to actual gender equality (*de facto*).

The Instrument of Government from a gender equality perspective

After criticism from legal experts and substantial media coverage, a one-man commission was appointed in December 2006 to scrutinise the Instrument of Government for the first time from a gender equality perspective.

The conclusion of the commission's report: *The Instrument of Government from a gender perspective – a comprehensive review* is that the Swedish Constitution is not concordant with

today's standards and values as regards gender equality, despite the fact that Sweden wishes to be a role model in this area.

- The Instrument of Government reflects 1960s and 1970s views on gender equality.
- The citizen is consistently referred to in masculine form (he, his), which tends to make women invisible.
- There is no condemnation of gender-related violence and the state is under no responsibility to eliminate it.
- The disparity between formal and actual gender equality needs to be **clarified** in the Instrument of Government.

In the two paragraphs where gender is referred to in The Instrument of Government, there is an emphasis on the universal citizen's right to equal treatment and non-discrimination. The former wording "to guarantee women and men equal rights" was changed in 2002 to the current wording, that public institutions shall "promote" participation and equality in the society for "all people", and that discrimination on the basis of gender, colour, nationality and ethnic background etc shall be eliminated. The shift from "guarantee" to "promote" and from "women and men" to "all people" weakens the legislation from a gender perspective.

The Instrument of Government does not emphasise the responsibility of the state to actively promote gender equality, making it conservative rather than change-oriented.

The Freedom of the Press Act and the Fundamental Law on Freedom of Expression

It is our firm belief that the Freedom of the Press Act and the Fundamental Law on Freedom of Expression should also be reviewed from a gender equality perspective. No such initiatives have so far been taken.

In light of one of the Government's main focus areas between 2002 and 2006 having been the *Sexualisation of public space and the role of the media*, pornography and gender-discriminatory advertisements should be scrutinised as constitutional issues.

In the Swedish Constitution, pornography is dealt with as a matter of freedom of the press and freedom of expression.

Under Chapter 6, Section 2 of the Freedom of the Press Act, pornography must not be shown in public places in a way that can cause offence nor disseminated to children and young people, as this may jeopardise their moral upbringing. Pornography is consequently defined as a moral issue rather than one concerning gender and power.

The Freedom of the Press Act also describes unlawful depictions of violence, where sexual violence is regarded as an offence against the freedom of press unless the act is justifiable having regard to the circumstances.

Child pornography offences are now exempted from the Freedom of the Press Act and the Fundamental Law on Freedom of Expression and are instead regulated in the Swedish Penal Code. The production of child pornography was banned in 1980 and the possession of child pornography became illegal in 1998. The need to protect children is regarded as more important than the freedom of the press and the UN Convention on the Rights of the Child is used as a guiding principle.

The concept of pornography as described in the Freedom of the Press Act is not based on an analysis of gender, equality or power but is instead defined as a morality issue.

If pornography is seen as an expression of the society's view of sexuality, it is not consistent with the society's objectives concerning gender equality and women's rights.

Article 4 – Measures to accelerate equality between women and men

Under Article 4 it is stated that temporary or special measures may be considered to reach equality between women and men. Positive discrimination and quotas are measures aimed at reaching gender equality and should therefore not be considered discriminatory.

Women on the labour market

In the review of the government's report in 2001, the committee recommended the Government to take special measures to increase the number of women gainfully employed in the private sector and to increase female representation in executive and decision-making bodies. No major measurable improvements have occurred in these areas, despite the possibility of regulating these injustices by law or introducing sanctions.

The IT-sector is a rapidly advancing, strongly gender-segregated sector (see Article 11 in this report). Special measures could be initiated in the IT sector in accordance with Article 4 to change the prevailing gender-discriminatory attitudes.

Article 5 – Stereotyped patterns

Under Article 5, Sweden has undertaken to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority of women and on stereotyped gender roles. Below we show the areas where Sweden has failed to fulfil its commitments under Article 5.

Introduction

The Swedish media landscape is characterised by an unawareness of human rights, women's rights, stereotypes and equality between women and men.

The media reproduces stereotyped patterns that conflict with political gender equality objectives. Consequently, the media preserves inequality between women and men rather than changing society towards gender equality.

Male dominance is maintained and justified while women's views and actions are undervalued. Stereotyped masculinity is valued more highly than stereotyped femininity. Media, advertising and entertainment portray women as instruments to provoke sexual desire and increase consumption. Women's dignity and bodily integrity are violated. Women represent only appearance, relations, sexuality and body. Media, advertising and entertainment create symbolic control over the female body. They draw up the space that is attributed to women and indirectly this becomes a more concrete control mechanism since the norm created by the media is internalised and adopted by women themselves.

Men dominate the media

Half of the journalists in Sweden are women, but there are still a lot fewer women in leading positions in the media. Journalistic content is characterised by a traditional gender structure, in which women are systematically under-represented and subordinated. Women illustrate values such as care, relations, victims of violence and “ordinary” people. These values are found in “soft” news which traditionally has a lower news value compared to the values represented by men, i.e. economics, politics, the legal system, technology – i.e. “hard” news. Two thirds of the people who pass comment or are mentioned in the news are men. This has been a stable pattern for at least 15 years.

Since news as a media genre is more connected to reality than, say, advertising, it is crucial that news and journalism depict women in a balanced and non-stereotyped fashion.

The concept of “stereotypes” should be established in Sweden

Categorising in terms of stereotyped opinions as to what is female and male is a type of power demonstration and a way of discriminating people. Such categorisation and stereotyping give women and men different roles, a different focus and different positions. The themes associated with women in the media are beauty, sexuality, relations and care. Constructions of masculinity emphasise things like profession, action, achievement and aggression/violence/crime. Men are in a public sphere whereas women are in the private domain. The emphasis on women’s appearance, bodies and sexuality helps to sustain the idea of the female body’s accessibility (to men) and attractiveness. Considerable bodily discipline is required – as conveyed by the media - to fulfil the ideal of the desirable woman. Women are told from an early age to keep their bodies in shape. In this way women are brought up to take care of themselves, which ironically coincides with the fact that women receive poorer care and poorer medical treatment than men in the Swedish health service, since they are expected to shoulder some of the care burden themselves.

The lack of diversity in the Swedish media

The traditional gender structure and hetero-normativity conveyed by the Swedish media, together with norms of “Swedishness” and “normality”, exclude women even more. “White” women are under-represented in the news but visible (and stereotyped) in fiction and advertising.

Women with physical or mental disabilities, with a different ethnic background or who are homosexual are virtually made invisible in all genres. Women from these groups are seldom or never allowed to occupy space in the media as citizens. When they are portrayed, it is only to represent the particular group they are said to belong to. A consequence of the media portraying women and men as each other’s opposites and complements is that it makes homosexual women appear deviant and problematic.

The stereotyped messages about the well-trained, youthful and slim female body, which are disseminated through the media, reinforce the image of women with disabilities as deviant and different. The “in spite of”-tendency is common in depictions of disabled women. It describes an individual who achieves her goals, “in spite of” her disability - suggesting that there is an incongruity between living with a disability and being successful.

Platform for action finally incorporated into Swedish policies

Government Bill 2005/06:155 *Makt att forma samhället och sitt eget liv – nya mål för jämställdhetspolitiken [Power to shape society and one's own life – new objectives for gender equality policy]*, adopted by the Swedish Riksdag in 2006, finally incorporates the intentions of the Beijing Platform for Action into Swedish policies (see Sections 7-9 of the Government's report). The power represented by *the media* is also included under the sub-goal on the equal distribution of power and influence.

The sub-goal on the elimination of men's violence against women and on both women and men enjoying bodily integrity also includes bodily integrity *in a symbolic sense*, which among other things alludes to media coverage. "The increasing exploitation and commercialisation of the female body helps preserve the notion of women's subordination. When women are reduced from human beings to objects, they are more exposed to violence and abuse", is the wording used.

The concept of "stereotypes" was used for the first time in the new gender equality objectives. "The Government considers that the elimination of stereotyped and objectifying portrayals of women, as well as the elimination of the commercialisation and exploitation of women in pornography, constitute important elements in the work towards the prevention and elimination of violence against women."

Media and advertising that stereotype women violates their bodily integrity and contributes to a commercialisation and exploitation of women.

Men's responsibility for gender equality

Sections 123-125 of the Government's report present some initiatives to engage men in gender equality work. The Government ascertains, however, that men are not engaged and fail to take responsibility in this work. The Government encourages fathers to take parental leave to change behaviours and attitudes.

Influencing men as parents to achieve gender equality is not enough. Additional measures must be introduced.

Gender-discriminating advertising

Section 127 of the Government's report states that the Government Offices are looking into setting up a commission on gender-discriminating advertising. The Platform for Action suggests that it may be necessary to legislate against depictions in the media and advertising that violate women and children.

A ban on gender-discriminating advertising must be driven forward.

Sexualisation of public space

According to Section 128, the Government has allocated funds for a project aimed at combating "the sexualisation of public space". The project has been neither evaluated nor followed up.

The working group appointed by the Government to submit concrete proposals for measures against the sexualisation of public space was dissolved when the former Government's term of office came to an end and the sexualisation of public space is no longer one of the new Government's focus areas.

What is the Government's strategy against the sexualisation of public space?

Gender equality training for the media

Section 132 of the Government's report refers to the Government Bill "*Viktigare än någonsin (More important than ever!) Public service radio and television 2007-2012*". This bill presents proposals for conditions and guidelines for the upcoming broadcast licensing period for Swedish public service radio and television. The Government ascertains that public service radio and television has an important role to not spread clichés and stereotyped images of men and women or of power structures and gender roles in society.

CEDAW, the Platform for Action and the European Commission's position in favour of greater female representation and pledge to eliminate stereotyped depictions are not well known to the Swedish media broadcasters.

Specific measures need to be taken to make media production and media coverage more gender equal, and to increase awareness of these important issues among media owners.

The FLICKA project and young people's media situation

According to Sections 130 and 131 of the Government's report, efforts aimed at young people have been made. The FLICKA¹ project was ongoing from November 2003 to June 2005 with the aim of increasing awareness of the commercialisation and sexualisation of girls and boys. The Swedish National Board for Youth Affairs was commissioned by the Government to evaluate the FLICKA project. (The FLICKA project, Swedish National Board for Youth Affairs final report 2007:9) The Board establishes that the project prompted media discussions received considerable attention in a number of municipalities, although it did not bring about any lasting effects or changes in attitudes. The design of the project had been poorly thought-through and it lacked control from the Government (Ministry of Health and Social Affairs).

In 2003, the Swedish Media Board was commissioned to reduce the risk of children and young people being exposed to harmful media content, violent images and pornography.

An evaluation of any results from this commission should be presented.

The media avoids taking responsibility for gender equality

There is political, legal and journalistic tension between gender equality on one hand and freedom of expression and of the press on the other. Gender equality is included in the concept of democracy and means everyone has the right to respect and participation in all aspects of life. Freedom of expression and of the press are important to safeguard democracy. Since both gender equality and freedom of expression are so important for democracy, they are protected in the Swedish Constitution and in international conventions.

Gender discrimination and offensive images are not consistent with the gender equality objective or the Constitution in general, but they have so far been protected under freedom of expression and freedom of the press laws.

¹ The word "flicka" in Swedish for "girl"

Article 6 – Trafficking, Prostitution and Violence Against Women

Under Article 6, Sweden has undertaken to take all appropriate measures, including legislation, to suppress all forms of trafficking in women and exploitation of women in prostitution. We also refer to Article 3 under which Sweden has undertaken to guarantee women the exercise and enjoyment of their human rights and fundamental freedoms. Under this Article, the Government's report discusses violence against women including honour-related violence. As regards violence against women, we also refer to the Committee's general recommendation 19.

Below we indicate areas where Sweden has failed to implement its undertakings under Articles 6 and 3 and in accordance with the Committee's general recommendation 19.

Introduction

Men's violence towards women is the ultimate consequence of the lack of gender equality in Sweden. In total contrast to what one can expect, gender equality work and successes in public life have not led to end of men's violence against women in intimate relations. Despite efforts to stop men's violence against women, the number of reported crimes increases each year. According to the Swedish National Council for Crime Prevention, this is a consequence of both a greater willingness to report crime and an increase in actual violence against women. There are a great number of hidden statistics, however, and the number of women subjected to violence is much greater than the official statistics suggest. The Swedish National Council for Crime Prevention estimates that only a fifth of women battering cases are reported to the police. The *Slagen Dam (Battered Lady)* study from 2001 reveals that 46 per cent of all women have been subjected to violence perpetrated by a man at some point and that 56 per cent have been sexually harassed.

Women's shelters and several investigations have revealed that women of all ages and from all groups in society are subjected to violence perpetrated by a man with whom they have or have had a close relationship (Amnesty 2004). UNICEF reports that approximately 46 000 children in Sweden witness how their mothers are abused. There is also an increase in sexual violence and the perpetrators are getting younger and younger (Ertürk 2007). Many women are afraid of being attacked in public places. Surveys show, however, that despite the widespread violence against women in Sweden, Swedish municipalities do not prioritise the fight against men's violence against women. There is a lack of action plans and few reported crimes lead to prosecution and trial. Only five per cent of all rapes reported to the police resulted in conviction in 2006. There is a lack of a common strategy to help and assist women who have been subjected to violence. Disabled women and women with an immigrant and minority background are particularly vulnerable and are not covered by existing protection and support functions.

Protecting women against violence

The authorities' efforts to combat men's violence against women have low priority and the problem is one of only minor social importance. The report from the Commission on Violence against Women, entitled *Ett slag i luften (An empty gesture)* from 2004, shows that the violence is being diminished, made invisible and made to look like something that does not require special resources. The issue is not considered as in need of political discussion, special organisation or institutionalisation.

The existing legislation is not implemented and action plans are lacking, particularly at the local level.

A woman who has been subjected to physical or psychological violence is treated differently depending on which municipality she lives in or which authority she turns to for help. There is no uniform approach taken by the police, public prosecutor, courts, health service or social services. Threats and risk assessments differ widely depending on where the woman lives. It is important that the Government's action plan for the elimination of men's violence against women is finalised.

Women's shelters

Despite discussions about mainstreaming men's violence against women into the everyday activities of the social services, health service, and despite municipalities having a responsibility for the well being of their inhabitants, Sweden's women's shelters still bear the ultimate responsibility for abused women. There are currently 150 shelters for women and girls in Sweden. Many of these are run on a voluntary basis. Municipalities allocate voluntary financial subsidies to the women's shelters. Some municipalities don't pay anything while some give a small amount and others give generously.

Only a fraction of the funding earmarked for women's shelters in the 2006 national budget was actually allocated to the shelters. Shelters had to be organised on the county level, which meant that only national women's organisations could apply. Small women's shelters were therefore excluded from these subsidies.

Restraining orders

In 2003 a law (Act 2003:484 on restraining orders in joint residences) on restraining orders in the same household was introduced to protect women (and children) from violent men who persecute women in order to regain power and control.

This law has been shown not to work in practice. Prosecutors feel that it is difficult to apply and subsequently is only used in very few cases. A commission is currently reviewing the law. It is also examining how to punish stalking (which does not necessarily have to be of a violent nature) and the introduction of electronic tagging as a punishment for breaching restraining orders. We hope that the commission will find effective solutions to how women and children can be protected from violent male persecutors.

Women without permanent residence permits

Women without permanent residence permits who are subjected to violence are particularly at risk and vulnerable.

Many dare not report the crime or leave their violent husbands due to fear of being sent back to their country of origin where it is impossible to live as a divorced woman. According to the women's shelters and voluntary organisations, the provision in the Swedish Aliens Act allowing extended residence permits to be granted to abused women is invoked far too infrequently.

These women subsequently have uncertain legal status. Furthermore, language difficulties and their lack of knowledge mean that they are ill-informed about their rights and the services offered by the authorities.

Pornography and sexual abuse

Since 1999, Sweden has provision in its Penal Code (Swedish Penal Code, Chapter 6, Section 11) prohibiting the purchase of sexual services. This law is the first one of its kind in the world and we hope that more countries will follow.

Ironically, however, it is permitted to show women being abused in pornographic images, citing the Freedom of the Press Act. Women are depicted as passive and dehumanised objects in pornographic images, objects that men can use as they choose. Pornography is about dominance, power and control in exactly the same way as all violence against women. Pornography normalises and sexualises violence against women in the society.

Pornography depicting the abuse of women should fall under the Penal Code and not under the Freedom of Press Act.

Ban on child pornography

The Swedish Penal Code prohibits child pornography. It is prohibited to disseminate, transfer, display or in any other way make child pornography available. It is also prohibited to acquire or offer such images, act as an intermediary between buyer and seller or to possess such images.

A child is defined as an individual whose pubertal development is incomplete or where it is obvious that the age-limit of 18 has not been reached. This means that a criminal act towards a child becomes legal if his or her “pubertal development is complete”. We find this unreasonable.

A clear age limit of 18 years should protect all children.

IT

The internet is the new gateway to prostitution, rape and sexual exploitation. Every third pupil in ninth grade (15-16 year-olds) has received a sexual invitation from an adult on the internet. 48 per cent of girls and 18 per cent of boys have been contacted. This can have devastating consequences for the lives of children and young people.

Rape

Reported cases of rape increase every year. But there are many hidden statistics. Rape is often perpetrated by someone familiar to the victim, who in the vast majority of cases is a woman or girl. Almost 100 per cent of the perpetrators were men in 2006. Many rape victims are very young. Almost 30 per cent of reported rapes were perpetrated against persons under 18, i.e. children as defined in the UN Convention on the Rights of the Child. An increasing number of rapists are also very young. In 2005, 377 boys were reported to the police for having perpetrated sexual abuse, half of whom were under the age of 15 (Ertürk 2007).

New sexual offences legislation came into force in 2005 (Swedish Penal Code Chapter 6, Section 1). The new legislation expands the concept of rape to include actions that formerly came under “sexual exploitation” in legal terms. The new wording states that: A person who by violence or threat which involves, or appears to the threatened person to involve an imminent danger, forces another person to have sexual intercourse or to engage in a comparable sexual act, that having regard to the nature of the violation and the circumstances in general, is comparable to enforced sexual intercourse, shall be sentenced for rape to imprisonment for at least two and at most six years. Rape is however still considered to be difficult to prove in court. In 2006, 4 208 rapes were reported to the police but only 226 convictions were handed out in the same year for the same crime (National Council for Crime Prevention). In other words, only five per cent of all rapes reported to the police resulted in conviction in 2006. The majority of all cases are dropped in the preliminary investigation stage. Without extensive supportive evidence, the woman’s testimony is not considered

strong enough when it is just her word against that of the accused. The prosecutor has to prove that intercourse has occurred without the woman's consent.

It was established in the European Court of Human Rights (judgement 4/12 2003 against Bulgaria) that lack of consent should be the criteria for rape and not the use of physical violence by the perpetrator and physical resistance by the victim. The European Court claimed that the Bulgarian criminal investigation should have concentrated on the issue of "non-consent".

If the criminal investigation does not concentrate on the issue of "non-consent", it will not fulfil the requirements laid down in Article 3 (prohibiting torture and inhuman or degrading treatment) and Article 8 (the right to respect for one's private and family life) of the European Convention. Focusing on evidence related to violence and violent resistance is considered in international law to be old-fashioned. According to an expert opinion in the Bulgaria judgement, it is common for women to be so shocked by the sexual abuse they are suffering that they do not put up any resistance. A judgement in the European Court is only binding in the country to which the case alludes. Furthermore, the judgement sets a precedent as it shows how the European Convention is to be interpreted. When the European Convention was incorporated into Swedish law, the Government stressed that the practice of the court varied and that Swedish law should be interpreted in accordance with this practice.

Sweden should review its legislation concerning consent. It should be incumbent on the man to take active responsibility to ensure that the woman consents to intercourse. There should moreover be a limit established for how serious injuries a person is allowed to consent to.

Surveys have shown that the health service lacks routines for how to ask women about abuse or sexual violence. There are moreover no routines concerning documentation and the preservation of evidence of injury after sexual abuse has been perpetrated.

Shortcomings in the legal system

According to the Swedish National Council for Crime Prevention, very few violent and sexual crimes lead to prosecution and conviction.

Only 5-10 per cent of reported cases go to court. It is consequently during the preliminary investigations, when the evidence is collected that will later form the basis of a decision whether to prosecute and convict, that the real application of the law takes place. The preliminary investigations are carried out by the police and lack public insight.

The fact that police officers lead preliminary investigations of crimes in intimate relations contravenes the Prosecutor-General's general guidelines which stipulate that prosecutors should lead preliminary investigations (Men's violence against women, Amnesty 2004).

Poorly managed preliminary investigations lead to far too few cases going to court and far too few offenders being convicted. It is not unusual for identified offenders not to be questioned even if they have confessed. Cases are dropped on the basis of the woman not taking part in the investigation, despite the fact that it is the duty of the prosecutor to represent the public, even in these cases, since violent crime is subject to public prosecution.

A shortcoming in the Swedish crime statistics is that verdicts are not broken down by gender in relation to the crime victim. It is consequently impossible to determine from the crime statistics how many indictments for assault/aggravated assault against women ultimately lead

to convictions. In 2006, 25 000 cases of women abuse were reported to the police. 8 800 people were convicted of abuse, but it is not possible to determine from the statistics whether the convictions were for abuse against women or against men.

Language use in connection with rape cases

When rape cases are brought to court, the woman is asked offensive questions about her clothing and sexual history. Provocative clothing and an active sexual history are seen as encourage rape and indicates consent on the woman's part (*Flickan and skulden [The girl and the guilt]*, Wennstam, 2002).

“If the woman has genital injuries, it is explained by saying that many people like ‘hard sex’ today and reference is made to the norms of pornography”. This train of thought may lead to milder punishment, or even a total acquittal.

There is no compulsory course on men's violence against women in Swedish law degree programmes.

In its Women's Safety Bill (*Kvinnofridspropositionen*), the Government has stressed the importance of compulsory courses on gender equality and the different conditions of women and men in society and in the family, as well as gender-related violence, being included in higher education programmes that lead to jobs where people come into contact with women who have been subjected to violence.

“Gender-related violence” and “different conditions in the family” have been excluded from the new Higher Education Ordinance, which came into force in 2006.

Current sexual crime legislation does not consider the unequal power relationship that exists between women and men in society. It is instead gender-neutral. (*Straffrätt och mäns våld mot kvinnor [Criminal law and men's violence against women]*, Burman 2007).

Human trafficking for sexual purposes

According to statistics from the National Criminal Investigation Department, there has been an increase in human trafficking and similar crimes in Sweden compared to previous years. Trafficking and victims of trafficking are accessible on the internet, where they are difficult to detect in ‘hidden’ prostitution.

New legislation against human trafficking in Sweden came into force in 2002, but it is considered difficult to implement. It has mainly been implemented in cases where children have been exploited, since consent is not an issue in such cases. There is a requirement to prove that the woman has not consented to prostitution in order to implement the law against the trafficking of adults. As this is difficult to prove, trafficking crime involving adults has often been established as procuring or gross procuring.

A review of the anti-trafficking legislation is currently underway. A new law should state that consent has no relevance and instead focus on the exploitation scenario rather than on the victim's background, character, willingness and state of mind. Such a revision of the law would be more in accordance with Article 3b of the UN Palermo Protocol, which Sweden has been bound by since 2004. Under the Palermo Protocol, Swedish authorities shall prevent trafficking, punish the perpetrators and protect and assist the victims of trafficking.

So far most of the punishments given in human trafficking cases have been very mild and they have not proved to be the deterrent against trafficking that the government intended, despite the fact that human trafficking is one of the worst crimes against human rights.

Issues concerning trafficking have revealed major shortcomings in the Swedish Aliens Act. Women who have been exploited in prostitution have no right to a permanent residence permit. Current legislation does allow temporary permits to be granted whilst cases are being processed by the police, the prosecution service or the courts. Once the cases have been processed, the women are abandoned and deported. The women are used as tools in the pursuit of the offenders and women who don't testify do not receive help from the social services. Information about damages and verdicts are not translated to the testifying women's language with the result that virtually no one applies for the damages they are awarded. Furthermore, women who have testified live in fear of reprisals, as they don't know whether the offenders have been imprisoned in Sweden.

Sweden has not ratified the Council of Europe Convention on Action against Trafficking in Human Beings.

Sweden needs a national action plan for the care and return of trafficking victims.

Violence against women with disabilities

Violence and abuse against women with disabilities are relatively new issues in Sweden. A recent report shows that 31 per cent of disabled women are or have been subjected to violence and abuse. Women with physical disabilities cannot turn to women's shelters because they have no disabled facilities.

When a woman with disabilities seeks medical care for bodily injuries, she is not asked whether they are associated with violence and abuse by an intimate relation. Instead, the health service automatically connects such injuries to the woman's disability or chronic disease. Interviews with disabled women reveal that violence and abuse are often directed at the disability itself. The woman may be forced to perform sexual activities in order to get her medicine and visually impaired women give evidence of totally unacceptable forms of physical contact.

Violence against mentally ill women

A study of women who have consulted the psychiatric health service shows that 70 per cent of these women have a history of violence and abuse in childhood, adulthood or both (Bengtson – Topps, 2004). The women themselves associate their mental illness with the abuse but they are not offered any help to deal with the traumas they have experienced, neither by the health service or other instances (shelters, crisis centres, etc.) The testimonies of the women are not considered trustworthy and they seldom press charges against the perpetrators. In cases where health care staff discover abuse or believe abuse has been perpetrated, they do not encourage the women to press charges.

The women's shelters and crisis centres in Sweden do not receive mentally ill women. This is a serious problem when it comes to municipal crisis centres, as the municipalities bear an obligation to help all their citizens. Mentally ill women are hence discriminated against.

Nothing has been achieved.

The last time Sweden was scrutinised by the Committee (2001, Section 35), the Government was criticised over the issue of protection for disabled women who have been subjected to violence. Unfortunately nothing has been achieved to improve protection for these women since then. No municipality in Sweden has taken the responsibility to establish women's shelters where mentally ill women and physically disabled women can seek protection and get help. There is a lack of both knowledge and routines among those who deal with these women at municipalities, schools, health service establishments and the police. Even the disability movement in Sweden has shown little interest in working with the issue of violence against women with disabilities. Not even the state, which grants funding to the disability movement, has any such requirements.

Honour-related violence

The issue of women who have been subjected to honour-related violence and threatening behaviour has received plenty of attention in Sweden in recent years. Thousands of young women currently live under honour-related oppression, which in some tragic cases has resulted in death. According to a survey carried out in 2003 by the County Administrative Boards, 1 500-2 000 people live under this type of oppression. 15 per cent of these are in need of sheltered accommodation. A doctoral thesis about gender and ethnic background in compulsory school reveals that 27 per cent of girls with a foreign background experience restrictions that can be linked to honour-related oppression. (Högdin 2007).

Despite the problems having received attention and training programmes on the issue having been implemented, no obvious changes in attitude have occurred. There are major deficiencies in **how** the authorities cooperate on preventive and long-term work. The municipalities have not integrated their efforts to combat honour-related violence and oppression into their everyday activities. They lack both resources and knowledge to take care of the victims and to provide timely help. Lack of coordination between and within authorities is common and may create security risks.

Young women

Young women often find themselves in a very intimidating situation where protection may not always forthcoming within their own families or relatives. The father, brother or husband is seldom the only perpetrator and the violence may be sanctioned by the entire surrounding community. This creates situations which can be very difficult to solve, in particular when the girl exposed to violence is a minor and she wants/needs to run away from her family. The Care of Young Persons Act needs to be invoked more frequently and the child perspective needs to be highlighted in issues of honour-related violence.

The right to confidentiality for women and girls with protected identities must currently be renewed on an annual basis, which leads to many practical problems and causes them major personal stress. If the right to confidentiality was instead valid for several years at a time, women and girls would be able to plan their lives more for the long term.

Identification documents

The consequences for foreign women abused by an intimate relation and who need to obtain identification documents in Sweden can be very problematic, the reason being that it was decided in 2007 that foreign nationals may only obtain identification documents when accompanied by a close relative. This may lead to the abused woman not being able to open a bank account or seek medical care.

Financial consequences of men's violence against women

Studies show that men's violence against women is very costly from a socio-economic point of view. Men's violence against women in intimate relations costs society 2.5 million SEK (approx 270 000 EUR). This includes costs for legal fees, health care and sickness absence. The estimation does however not include the costs for the woman's and possibly the children's mental and physical suffering. Neither does it cover the financial loss she experiences as a result of reduced work income and a smaller future pension. The abused woman has to pay most of the costs herself.

According to a study from the National Board of Health and Welfare, the costs for violence against women in intimate relations amounts to approximately 3 billion SEK (around 325 million EUR) per year. It is calculated that the cost for each abused woman is between 30 000 and 40 000 SEK (3 200-4 300 EUR) per year and that 75 000 women are abused. The study does not however include costs for pain and suffering. Should these be included, the total costs would be 10 times higher, according to international studies.

According to the Declaration on the Elimination of Violence against Women, the Government shall allocate sufficient funds for work aimed at eliminating violence against women in the state budget.

Article 7 - Eliminate discrimination against women in the country's political and public life

Under Article 7, Sweden has undertaken to carry out all appropriate measures to eliminate discrimination against women in the country's political and public life. Below we show the areas where Sweden has failed to fulfil its commitments under Article 5.

Introduction – summary

Sweden is not an equal country. Both our vocational training and our labour market are strongly gender-divided. Few women reach powerful positions in finance and the business sector, many women are employed only part time and do more unpaid work in the home. Women take more than 80 per cent of the parental leave. The overall result of this is that women have less power and influence and they are not financially independent to the same extent as men are in Sweden. According to a recently published study, there is an alarming financial and social gender gap. Women run a 65-percent higher risk of not having enough money in their daily lives and are 33 per cent more likely to have experienced financial crisis. Women also feel more insecure in everyday life (Sarah Wamala, Swedish National Institute of Public Health 2007). Men's violence against women is a serious problem which may last for years without the woman receiving appropriate help.

All gender equality work is connected. The devaluation of women, their work, qualifications and achievements, is all the result of society's overall view of women.

All these areas need to be addressed simultaneously in order to achieve real and sustainable gender equality. In addition the diversity perspective must also be considered. A large number of women are discriminated against on the grounds of ethnicity, disability, age and sexual orientation.

The aim is good – results are overdue

The Government's Sixth and Seventh Periodic Report talks of high ambitions with respect to gender equality in Sweden. It is clearly not a matter of a lack of ambition to change, nor a lack of projects, investigations, conferences, discussions or statistics. What is lacking, however, are concrete measures, sanctions and punishments when gender equality objectives are not met.

The Government's efforts to change attitudes should be supplemented by legislation and sanctions.

The state has a clearly defined role in this respect, both as an authority and as an employer.

Gender distribution in executive boards and leading positions

The public sector

We know that two-thirds of the chairpersons of central government agencies are men and that the boards are characterised by gender imbalance (see Section 179 of the Government's report). With regard to heads of public agencies, the proportion of men is 66 per cent compared to 34 per cent women (see Section 182 of the Government's report). In state-owned companies, men hold 86 per cent of the managing director posts and 77 per cent of management positions (see Section 184 of the Government's report).

Private enterprise

The development within private enterprise is very slow. Male dominance in leading positions in large organisations and in private enterprise remains unchanged (see Section 187 of the Government's report). Women's representation on the boards of privately owned limited companies has only increased from 2 per cent to 8 per cent in the last ten years.

Male dominance however fell on the boards of directors of stock-exchange-listed companies from 95 per cent in 2000 to 84 per cent in 2005 (see Section 190 of the Government's report).

Despite the views of the Committee in 2001, when the Government was urged to increase the representation of women in executive and leading positions, both in the private and in the public sector (see Committee observations 26 and 27 from 2001), virtually nothing has happened in this area. This is remarkable seen that the majority of those with university education in Sweden are women. The Government has not imposed any sanctions nor taken any other measures to change the situation.

Quotas

A government-appointed commission looked into whether, and in which case how, provisions on gender quotas on boards of directors could be introduced into Swedish law (see Section 191 of the Government's report). Quotas were seen as a way of speeding up the desired development, as female representation on boards of directors is low.

The proposal for quotas has, however, not been implemented. The Government is instead relying on the *goodwill* of private enterprise to bring about change. There are facts that contradict this. It is under the threat of quotas that private enterprise has expressed an interest in dealing with this issue itself and by initiating various projects, participation in conferences etc., has shown its *goodwill*. As a result of the Government withdrawing the threat of quotas, female representation on boards of directors has decreased from 21.5 per cent in 2006 to an estimated maximum of 21 per cent in 2007.

In the Committee's comments from 2001, the Government was urged to increase female representation in executive and leading positions both in the private and public sector (see

Committee observations 26 and 27 from 2001). The Committee proposes that the Government implement temporary special measures in accordance with Article 4.1. This has not happened. What are the Government's alternative plans to achieve an equal gender balance in this area?

Fewer female directors

The proportion of female directors increased from 9 per cent in 1990 to a peak of 32 per cent in 2004, since then however it has decreased to 25 per cent in May 2007. The reduction is true for both stock-exchange-listed companies and other private enterprises. The proportion of female directors has dropped most in banking, finance and insurance. The largest drop in female representation can be seen in listed telecom and media companies. For example, 28 per cent of the total workforce of 22 000 employees at Ericsson are women and they constitute 20 per cent of all directors. There is only one woman in the group executive, the HR director.

Of the 44 listed companies noted in 1990 and which were still listed at the end of 2006, almost half, 21 companies, had failed to promote a single woman to the company executive in 17 years.

In its comments from 2001, the Committee expressed concern (see Committee observation 26) about the low female representation in executive and decision-making positions in almost all sectors and in observation 27, the Committee urges the Government to take urgent action to increase female representation in decision-making posts in all sectors.

What measures does the Government intend to take to increase the number of female top directors in the Swedish business sector?

Judges

The situation in the legal system in Sweden has improved. Analyses of the development has revealed that the number of women in the judiciary (see Committee observations 28 – 29 from 2001) still remains low in most of the highest positions both in the public and the administrative courts. There is however a female dominance in lower positions in the judiciary. There are for example more female circuit judges and there is female domination among administrative court of appeal judges and among judges of appeal.

What can we learn from the positive development in the judiciary and are the strategies applied in the judiciary applicable in other societal sectors? How will the Government promote equal gender distribution in higher positions within the judiciary?

Article 10 – Education

Under Article 10, Sweden has undertaken to carry out all appropriate measures to eliminate discrimination against women in political and public life. Below we show the areas where Sweden has failed with the implementation of measures under Article 10.

Introduction

In its report Considerations of reports submitted by States parties, in July 2001, the Committee states that “there are no significant factors or obstacles that prevent the effective implementation of the Convention in Sweden”.

We consider this judgement correct, but we ascertain that despite recognised good preconditions for the elimination of all types of discrimination against women in Sweden, a lot remains to be done. The problems lie in poor implementation of relevant acts, regulations and knowledge and lingering stereotyped attitudes and conceptions. A gender-equal education system and gender equality education are vital to ensure that women and men have the same power to shape both society and their own lives.

Children are affected from an early age by the gender-segregated society in which they grow up. This is reflected in their own choice of education and profession. Even as early as preschool can gender inequality be inadvertently created by the special treatment given to boys and girls by adults.

Preschools, childcare services and schools need to be in focus to establish a change in attitudes and to increase gender equality. Research underlines the importance of both parents and school staff discussing democratic values and of setting a good example in order to overcome excluding norms and power structures.

The investments made in children yield results for many decades ahead! Is the Government willing to invest enough resources to stop children's induction into patriarchal power structures in the education system?

Gender equality efforts in preschool and school are part of the teaching and require competent, knowledgeable and open-minded teachers. The reasons for inequality and discrimination, which occur in all cultures, need to be analysed from a sociological, historical and multicultural perspective in order to ensure satisfactory education in today's multicultural schools.

There are major shortcomings in this area as regards the in-service training of teachers.

Preschool and school

The Government's sixth and seventh periodic report describes an outstandingly ambitious programme for the implementation of the CEDAW visions in school and preschool. During 2002-2004, 255 gender educationalists were trained, and they are now working in the municipalities. In 2004, the Government appointed the *Delegation for Gender Equality in Preschool*. Their report contained a number of important and constructive proposals such as the recruitment of more men to the preschool, more in-service training initiatives and further investments in the training of gender educationalists. The motto of the Delegation could be summed up as: "we need more knowledge, not more laws and regulations".

A large number of activities in the local level have been established since we submitted our last report (2001). The delegation has granted funds to 34 local projects after having scrutinised 286 submitted applications. The propensity for change and development in the municipalities seems therefore to be very promising!

The results of these efforts have not yet been evaluated in their entirety. There is however a draft report pointing to a number of quantitative and qualitative factors which have an impact on the potential for achieving change, something that provides valuable knowledge for future activities. The draft report points out that only slightly more than a third of all teachers have observed a change in behaviour among the children. The initiatives taken are therefore commendable but insufficient.

The gender educationalists need more support for their work to have a greater impact. They must be given better opportunities, time and authority to drive forward their change initiatives, using a gender equality teaching methodology that teaches the children about the freedom they are entitled to and based on which they can shape their own identities as adults, without traditional expectations as regards what a girl/boy and woman/man should or shall do.

There are no indications in the Government's report that increased support will be given to gender educationalists in this issue.

Gender-based subject choices – upper secondary school

Swedish upper secondary school remains segregated. In the higher education preparatory programmes, except for technology, the gender distribution is fairly balanced while it is extremely uneven in the vocational programmes. The “Children and leisure” programmes have almost no boys in them while there are almost no girls in the “Construction”, “Electricity” and “Energy” programmes. There has been a slight decrease in the proportion of girls in Care and Education programmes. The number of boys who attend virtually completely gender-segregated educational programmes remains more or less unchanged. The stereotyped gender distribution at upper secondary school continues in higher education and on the labour market. Despite these stereotyped patterns, gender equality efforts have not been as prominent in upper secondary school as they have been in compulsory school.

Despite vast knowledge and available research results on gender and equality issues in the education system, measures have not been implemented in upper secondary school programmes.

Gender and educational success

Girls currently obtain better grades than boys at all levels and in all types of schools. In a study carried out by OECD in 2003, Sweden was in the group of countries with the greatest gender differences in favour of girls in literacy, numeracy and science. Each year 25 per cent of upper secondary school students drop out. 83 per cent of these students are boys.

A Swedish report commissioned by the Swedish National Agency for School Improvement shows that a male ideal, which includes a laddish anti-learning culture, has a strong impact on younger boys.

If this development persists it may result in a more distinct gender-segregated educational situation in the future to the detriment of all parties.

Powerful and targeted efforts are needed here to accomplish change.

Mother tongue tuition

The consequences of changes to the support for mother tongue tuition to children with a first language other than Swedish could lead to serious problems.

Ethnic background and gender

A recently published doctoral thesis on gender and ethnic background in compulsory school reveals that the phenomenon of honour traditions restricts the lives and potential of girls and women.

The Swedish Education Act states that no exemptions limiting the children's schooling are allowed. The pupils have a right to receive a complete education. Yet there are major dispensations exempting pupils from different types of subjects on religious or cultural grounds.

To avoid negative consequences for girls with an immigrant background, there is need for greater insight and clarity in these issues than has previously been achieved.

Adult education

Adult education has long been regarded as especially important in order to support individual development and self-fulfilment and to combat discrimination. The project “*Kunskapslyftet*” – the Nationwide Promotion of Adult Education - was carried out in 1997-2002. In 2003 - 2006 this was transformed into a recruitment grant for adult students. 2007 has brought about a major transformation. The government adult education grant to the municipalities was reduced by a third and only one in four municipalities have decided to compensate for this using municipal funds. This has resulted in a large reduction in the number of places available. In addition, the recruitment grant has also been removed. These changes have a severe effect on women as they make up two thirds of the total number of adult students. In Sweden we have long enjoyed an outstanding adult educational system. Lately the policy seems to be to reduce this acknowledged profitable investment in women’s opportunities to improve their lives and scope for earning a living.

The Government shows no signs of being prepared to prevent a deterioration in women’s opportunities for further education, a fact we find extremely alarming.

Higher education

The Government has made some efforts to achieve a more equal gender distribution among both students and staff/management at universities and university colleges since 2001. Reports on how the gender perspective is included in the teaching have been published in the annual reports of university departments. A slight improvement in the previous imbalance has been achieved.

Gender-based subject choices – undergraduate education

During the academic year 2005/06, 320 000 were in undergraduate education. 59 per cent of these were women and 41 per cent were men. A total of 33 200 women and 17 800 men received their undergraduate degrees in 2004/2005.

Health care and teacher educational programmes, which were only recently transferred to higher education, are still dominated by women while men dominate technical subjects. No major changes have therefore occurred at this level since our last report (2001).

The female dominance is particularly high in two of the five largest degree programmes, i.e. teacher education, which is the largest with 84 per cent women in the autumn of 2006, and the nursing programme with 87 per cent women. Two degree programmes were dominated by men: the Master of Engineering programme with 68 per cent men and the graduate engineer’s programme with 71 per cent men. The economics programme lies within the desired gender equality 40-60 interval, with 45 per cent men and 55 per cent women. In the academic year 2005/06, the Swedish National Agency for Higher Education reported that five of the minor programmes had approximately 60 per cent women. These are the medical, architecture and law programmes as well as theology and fine arts. The proportion of women on the remaining programmes is higher than 60 per cent except for technology and science. There is however a better balance even in these programmes. More than 30 per cent of the applicants to technological programmes are women. This is not the case for IT-programmes, however, where only 3 per cent of first-year students in 2006 were women (see also Article 11 in this report).

Teacher education

Different decisions made by the Government, in particular concerning further development of teacher education, have prioritised the issue of gender balance among compulsory school teaching staff. The Government stressed the importance of this in its bill for a new teacher education. (Government Bill 1999/2000:135). No results have as yet been forthcoming.

In our previous report in 2001, we pointed out the lack of attention for gender issues in teacher education and the fact that the planned allocation of resources to achieve change in this issue was not sufficient for teacher training colleges to be able to meet the Government's goals. It is now clear that this concern was justified, since gender awareness has not had an impact on the education.

A new report which has scrutinised teacher education ascertains that education in gender and equality is often a neglected area. Even university teachers themselves still have poor knowledge in this field. This is *one* possible reason for the gender-based subject choices made by the school students after they finish compulsory school.

Concerning men's stereotyped career choices

We often express our alarm at how *girls* make such conventional career choices and restrict their career opportunities, but the conventional career choices of *boys* are just as alarming. One particular difficulty in gender equality promotion is the fact that men are in a clear minority among teachers of younger teachers. In preschool, only 3 per cent are men while less than a third of all teachers employed in compulsory school are men and more than two thirds are women. In upper secondary school the gender distribution is basically even.

It would probably be more effective to firstly try to get men into areas where they are under-represented, rather than try to get women into technology – they seem to find it easier to do this on their own. An equal gender distribution in all professional categories in the care sector and at all levels in the school system would be a positive development for everyone - for patients, children and young people, and the society as a whole. There would be a wider range of applicants and the unemployment rate would probably be lower. We would see positive effects on salary trends in female-dominated professions as well as better working environments! The recruitment to teacher education is in need of urgent change. We need an extra 3 200 qualified preschool teachers by 2014. The time is ripe for high-impact campaigns!

Postgraduate education

The gender distribution in postgraduate education is evening out. A balance between the sexes was already achieved among first-year postgraduate students in the academic year of 2004/2005, with 49 per cent women and 51 per cent men. The same figures were reported for 2006. There are however large variations between the subjects.

The report *Forskarutbildning och forskarkarriär (Postgraduate education and a career in research)* scrutinises the “decoupling” of female students during their scientific careers, from when they get their undergraduate degrees to higher academic posts. As soon they transfer from undergraduate to postgraduate education, the proportion of men who carry on is greater than the proportion of women in the majority of subjects - 15 per cent and 12 per cent respectively.

The choice of undergraduate degree is significant as regards the number of students who choose to continue on to postgraduate education and the difference between the sexes is appreciable. It is primarily in science and the humanities that the odds of a man continuing on

to postgraduate education are noticeably higher. Surprisingly enough, there were no differences in technological programmes. But these postgraduate programmes are still dominated by men since there are so many more male undergraduates. The study does not provide any answers to why the situation is as it is - "there is no simple correlation".

A comprehensive, in-depth and long-term investigation is necessary to understand why these differences exist.

The research career

A job as a research assistant can be considered the first step on the career ladder. In its annual report of 2005, the Swedish National Agency for Higher Education reports that men are slightly over-represented: 60 per cent of a total of 1 010 research assistants are men. A position as university lecturer is another important step after the PhD degree, and here more women than men drop out. The Faculty of Engineering at Uppsala University writes: "Getting a permanent job as a university lecturer is clearly a bottleneck in gender equality work." This insight led to the department deciding to allocate financial support to departments that employed a female university lecturer. They also decided that all teachers would undergo half a day's training in gender-aware teaching methodology. Financial stimuli may seem an odd solution, but we believe that courageous measures like these are necessary.

Special resources to promote gender equality work are needed in academic subjects where the gender distribution is markedly unbalanced.

The professors at the top of the pyramid – - women are decoupled

In our previous report in 2001, we asked whether only male qualities are professorial enough? Men are still strongly over-represented among Swedish professors. Currently 83 per cent of all professors are men. Since 1997, the Government has established a recruitment target at least 40 per cent women. The current recruitment method has obviously not been effective. A greater proportion of men from all doctoral cohorts from 1980 to 1991 were employed as professors within 12 years of gaining their PhD. The decoupling effect is very obvious. Men are twice as likely as women to become professors. The proportions vary slightly from one subject to the next and the gender differences are smallest in social science and medicine and greatest in the humanities and science. There is no generally accepted explanation for why this is so. The issue has however been analysed from different points of view.

Responsible authorities, and particularly the Swedish Research Council, have - after discreditable revelations - introduced an objective qualifications assessment system in connection with their grant-allocation procedures. When evaluating large-scale projects (e.g. centres of excellence), a method called "reasoning" is employed, which has been shown to increase "the risk for women to face exclusion which is not related to their competence or the quality of the proposed project." It is also probable that the expertise assessment process carried out when appointing nominees contains conservative elements and "homosexuality", which are evident during the recruitment of business leaders. This is despite the fact that gender discrimination when filling posts is prohibited under the Gender Equality Act.

The lack of gender balance is a clear quality issue for the academic community. Who are appointed as researchers and professors is of considerable importance from the individual's, university's and society's point of view. Recruitment processes and fund allocations must therefore be thoroughly scrutinised. A comprehensive review of a large number of cases with

more applicants of both sexes needs to be carried out in order to establish new and efficient gender-neutral assessment methods. This is the Government's responsibility.

Conclusions

Not much has happened when we consider the criticism Sweden received from the Committee under Article 10 in 2001. In several areas, the criticism has not resulted in less discrimination, whilst in others marginal changes have occurred.

Article 11 – Labour market and working life

Under Article 11, Sweden has undertaken to implement all appropriate measures to eliminate discrimination against women on the labour market. Below we indicate areas where Sweden has not fully succeeded in fulfilling this commitment.

Unequal wages

The Committee urged the Swedish Government in 2001 to take measures to combat wage discrimination against women (see Committee observations 22 and 23). Many of these measures have been implemented but the results are very limited. Current wage differences have remained the same for the last twenty years.

The market income of Swedish women constitutes 66 per cent of men's market income. After taxes and transferrals, women's disposable income constitutes 77 per cent of men's disposable income. Women's average wages are 83 per cent of men's wages (when comparing full time wages). After standard weighting, the average female wages are 92 per cent of men's wages. Standard weighting considers elements such as age, education, sector, working hours (converted to full time for those with part-time employment) and professional group. The single biggest factor when considering wage differences is the professional group. Half of all Swedish women work in large professional groups in the public sector where the wages are low.

Research shows that positions occupied by women are too low in relation to their level of education, i.e. women are often over-qualified. This is a factor that has a negative impact on women's wages (Katz, Institute for Future Studies and IFAU 2007).

The Government has indeed put forward a action plan for equal wages between women and men to the Riksdag (see Section 286 of the Government's report) but nothing has happened since then. How does the Government intend to promote equal pay?

Absurd level of compensation

Sweden has excellent gender equality legislation. The problem lies in the fact that too few companies apply it. Neither are sanctions dealt out to those who break the law. Very few companies in Sweden are convicted of gender discrimination and sexual harassment in the Labour Court. And in cases where companies are convicted, the level of compensation is very low, in particular compared to the United States and Great Britain. (Laura Carlson, *Searching for Equality*, 2007). This demonstrates that sanctions against gender discrimination and sexual harassment on the Swedish labour market are rare and lack teeth. There is also evidence that powers within the government are driving development in the opposite direction.

The gender-segregated labour market

For many reasons, the gender-segregated labour market is a gender equality problem. The entire public sector (including the state) is a huge employer with a clearly gender-segregated

professional division, with many low-salaried women and large wage differences between women and men. The majority of men work in the private sector. A number of “trend-breaking” projects have been implemented, some with funding from the EU, in an attempt to dismantle the gender structures on the labour market. The results of these projects have been limited in relation to the investments. The Government and the county councils have failed for more than a decade to change the ratio between women’s and men’s wages. The public sector is no better than private enterprise despite political governance.

One of the major problems concerning women’s participation on the labour market is that many women are only offered part-time work, even though they both need and request full-time work. This goes for both the private and the public sector. Men are routinely offered full-time work. What does the Government plan to do to strengthen the rights of women to full-time work?

Statistics

Statistics are an important tool for evaluating initiatives and results. Statistics have an important role in moulding public opinion and as a basis for decision-making. Consequently, it is important that the statistics used are clear and easy to comprehend and do not become a bone of contention themselves.

There are still shortcomings in today’s wage statistics. Some examples of this are that statistics for female-dominated professional groups are not broken as precisely as those for male-dominated professional groups. Furthermore, managerial and specialist functions are not always separated from the group. This leads to statistics being brought into question and many comparisons become meaningless.

A continued development of and improvement in wage statistics are therefore necessary.

The effects of parental leave

The Swedish parental leave policy is one of the most recognised systems for promoting both parents’ rights to active participation on the labour market. Unfortunately, this same policy has turned out to be a trap for women. Less than 20 per cent of the permitted leave is used by fathers. Research shows that this parental leave policy is one of the root causes of wage discrimination affecting women.

Research reveals that women and men are classified on the labour market on basis of expected absence. Women are a high-risk group and consequently punished in terms of their salaries from the very beginning, whether they intend to have children or not. If they have children and stay at home with them they are punished even more. Men are the low-risk group and receive higher wages. They are only punished salary-wise when they take longer parental leave. If they do, however, they will be punished even harder than women. There is strong evidence to suggest that men’s low usage of parental leave reflects the preferences of their employers rather than their own.

There are public discussions about an individualised parental insurance, i.e. giving parents exactly half the time each. In our opinion, this is necessary to spread the risks of absence evenly between men and women and to strengthen women’s status on the labour market. Such a reform would also strengthen the father-child relationship.

The IT sector – a future industry reserved only for men?

The IT-sector is led and dominated by men. There are also significant wage differences between women and men in IT-related professions, both in the private and public sectors. There is also a distorted gender distribution in IT-related educational programmes (see

Section 264 of the Government's report). A mere 13 per cent of those who graduated in 2006 from the MSc computer technology programme were women. The same year, only 3 per cent of first-years were women.

The Government has commissioned the Royal Institute of Technology to design and advocate an action to promote gender equality in the IT industry. This action plan has yet to be implemented. It is remarkable that it has taken the Government so long to react.

What does the Government intend to do to achieve gender equality in the IT industry? We are concerned by the fact that this action plan has become yet another "desk product", filed away without any concrete results being achieved.

Entrepreneurship and growth

Approximately 25 per cent of all enterprises in Sweden are currently run by women.

Women's companies are smaller and they are more often self-employed compared to men.

NRC - the Swedish National Federation of Resource Centers for Women - has presented a critical view of the Government's strategy for promoting entrepreneurship in Sweden.

According to NRC, 90 per cent of the funds allocated in 2007 to regional policy endeavours went to men and 10 per cent to women.

As regards resources administered by Vinnova for cooperation between the research community and small businesses, 90 per cent went to men.

Development and growth projects connected to universities mostly involve men and projects that receive public funding are very male-dominated - the *Tunga fordon (Heavy Vehicle)* project being a case in point. The salaries in these projects can be very high. The basic funding of local and regional resource centres for women are so low that it doesn't cover any wages at all.

An evaluation of how women experience the initiatives carried out within the NRC shows that the programmes and the support are designed in accordance with men's interests and values. Major efforts and changes in attitude are necessary to achieve an even gender distribution of resources.

Women with disabilities

Sections 251 and 252 of the Government's report show that 20 per cent of the population have some form of disability. Women with disabilities receive fewer and less costly support measures compared to men with disabilities. Women also work part time involuntarily to a higher extent than men. There is no clear indication from the Government's report on how it intends to integrate the gender equality perspective into the labour market measures that affect women with disabilities. What gender equality measures does the Government plan to implement as regards women with disabilities on the labour market?

Conclusions

There has been very little action taken by the Government despite the criticism by the Committee under Article 11 in 2001. The criticism has not been heeded to the extent necessary to reduce discrimination against women.

Article 12 – Health and medical services

Under Article 12, Sweden has undertaken to carry out all appropriate measures to eliminate discrimination against women in health care. Below we indicate areas where Sweden has not fully succeeded in fulfilling this commitment.

Introduction

Women in Sweden live longer than men on average but have poorer health. Things are starting to change however. Life expectancy continues to increase in the country (current average is 82.8 years for women and 78.4 years for men) but the rate of **increase** is faster among men than among women.

Women have a higher incapacity and sick leave rates compared to men. The Government and the National Board of Health and Welfare aim to halve absence from work as a result of sick leave by 2008. In order to achieve this, sickness insurance compensation has been reduced. This affects women to a higher extent than men.

Women are more often on sick leave than men and have a higher incapacity rate than men.

Contributory factors seem to be double workload, i.e. that women in Sweden are more often gainful employed than women in other countries, while they also do more unpaid work in the home and with children than their male counterparts. Women also do more unpaid work, caring for elderly and sick relatives, compared to men. Many women have low-salary, stressful occupations with poor working conditions and exercise little influence and control over their work. This is not only due to the cutbacks in the public sector, in which many women are employed, at the beginning of the 1990s but also the result of the strongly gender-segregated labour market. Women are also negatively affected by the fixation with appearance and sexism in society as well as by men's violence.

Research shows that women who both make a career and have the responsibility for the home and children have poorer health than women who share the responsibility for unpaid work with their partners (Månsdotter, 2006).

Equal care

Equal care may be different care, but it must be based on knowledge of the different disease scenarios of men and women and their differing needs. Women and men are treated differently in the health service and they also receive different treatment. One reason for this is that medical research and development is often based on men and their physical and social prerequisites. Women and men should not always get the same type of care in order to receive equal care.

Adding a gender perspective to medicine can involve asking new questions about how the different societal conditions for women and men affect their health. Medical gender research must focus on both the biological and the social sex.

Some examples of discrimination against women in the health service

In recent years, medically unjustifiable differences between men and women have been shown as regards access to assessment and treatment of a number of diseases (*Ojämslaldhet i hälso- och sjukvård [Inequality in health and medical care]*, SKL 2007). Women are more often adversely affected by quality shortcomings and problems in the health service and they also have poorer access to care in a number of different areas. We are not saying, however, that this is a matter of conscious or intentional discrimination. It is generally a question of subconscious gender values.

- **Cardiovascular diseases**

Research into cardiovascular diseases has traditionally been carried out on male patients and the man has subsequently constituted the norm in cardiovascular care. Women with cardiovascular disease display different types of symptoms and disease developments which have been regarded as divergent and difficult to diagnose. The inferior knowledge of women with cardiovascular disease means that women risk receiving poorer-quality care and has, in some cases, resulted in women dying. Analyses have demonstrated that the ambulance takes longer to arrive if the emergency concerns a woman with heart problems compared to a man in the same situation.

- **Cataracts**

Cataract surgery is the most common surgical procedure in Sweden. Analyses however suggest that women have poorer access to cataract surgery than men. Women are operated on later in the disease process, they have to wait longer for surgery and they are older when they eventually receive surgery compared to men.

- **Dermatological care**

Research shows that women and men receive different treatment for skin diseases which are equally common and equally serious among both women and men. Men received more treatment at a clinic in the form of ointment application and UV treatment. Women were more often prescribed ointments which they had to pick up at the pharmacy and treat themselves at home.

- **Stroke**

The mortality rate from stroke among women and men is very similar. The access to specialised stroke care is of decisive importance to minimize the risk for death. Analyses show that fewer women than men get treatment at the relatively expensive and “life saving” stroke units.

- **Medicines**

The overall cost for medicines is higher for women than for men but the cost per prescription is higher for men. Men more often get newer and consequently more expensive medicines compared to women. New medical technologies are also disseminated to middle-aged men first.

Women more often report side effects and are more often affected by medicine-related morbidity than men. Some studies have revealed differences between women and men as regards the effect of medicines, which can have very serious consequences.

- **Diversity**

Analyses have also shown that women have to wait longer for care in connection with a visit to general practitioners at health care centre and that they have less access to surgery for knee joint arthrosis, hip joint arthrosis and spinal stenosis. Female patients more often suffer from unspecific symptoms and conditions which are taken care of by the primary care services, where there is no quality monitoring and research. There are also gender differences concerning the quality of life for patients with different diagnoses. Class and disability come into play regarding perceptions of ill-health and regarding how patients are received by the health service.

- **Older women**

Age discrimination affects women to a higher extent than men because women live longer than men and are affected by diseases and health problems at a relatively old age. The fact that women make up such a large proportion of older people means that discrimination of the elderly is an indirect form of sex discrimination.

Older women are more at the mercy of trends in public health and social care than older men, since they more often live alone without the support of a husband and have a lower pension than men of the same age. As a consequence, older women have less opportunity than their male counterparts to compensate for their lack of access to public care and support by buying private services.

- **Preventive health care**

Section 315 of the Government's report discusses the report "A public health policy for equal health and sustainable growth". This report is about the importance of preventing ill-health and disease in Sweden. Sexually transmitted infections affect women and girls to a higher extent than boys and men, but there is a lack of resources to combat them.

Sweden has the highest fracture rate in the world, i.e. broken bones and related injuries caused by osteoporosis. Each year there are approximately 70 000 fractures associated with osteoporosis. The total socio-economic costs of these amounts to about 8 billion SEK (about 860 million EUR). It is mainly middle-aged and older women who are affected by this disease.

There is no national action plan to deal with the problem of osteoporosis.

Mental ill-health

Adults

The mental health of women and girls has drastically deteriorated in recent years. The proportion of the population who say they feel fear, worry and anxiety has risen since the beginning of the 1990s after a decline in the 1980s. 25 per cent of women and 15 per cent of men reported these feelings in 2005. An indicator of women's mental ill-health is that almost twice as many anti-depressants is sold to women than to men.

Depression has mainly been regarded by doctors and in pharmaceutical advertising as a "female" disease but there are now researchers claiming that these gender differences have been exaggerated. Women, they say, have been over-diagnosed and over-medicated while men have been under-diagnosed.

There are three groups whose mental wellbeing is much worse than others. These are women with foreign-born parents, single women parents and women with disabilities (*Jämställd vård?* [Equal care?] National Board of Health and Welfare, 2004).

Studies reveal that 70 per cent of the women who consult the psychiatric health services have been subjected to violence and abuse during childhood, adult life or both. (Bengtsson-Toops, 2004).

Young women

The biggest rise in mental ill-health has occurred in women aged 16-34 years.

While most Swedish people's health is constantly improving, the health of young girls is poorer now than a decade ago. The most alarming aspect is that the mental well-being of young women aged 15-24 is continuing to develop unfavourably (Public Health Report, 2006).

Mental ill-health among 15-year-old school girls increased from 14 per cent in 1985 to 37 per cent in 2005. The proportion of boys with the same problem has increased from 5 per cent in 1985 to 15 per cent in 2005.

Recent research reveals that children and young people who report mental ill-health also display more vascular changes. This connection between mental ill-health and changes in blood vessel function is seen mostly among girls. The measured vascular changes would be interpreted in an adult as initial signs of arteriosclerosis. (Osika 2007).

Drugs

Young women have increased their use of drugs during the past 10 years. Alcohol consumption and alcohol poisoning have increased significantly which has contributed to the rise in mental problems. (Public Health Report 2006).

Suicide

The number of people treated for attempted suicide or other self-inflicted injury has remained constant since 1987, except for among women in the 15-24 age group, where the number has increased slightly since 1992. (Public Health Report, 2005). Compared to other European countries, apart from the Baltic countries, the suicide rate for women is relatively high while it remains more or less at an average level for men. (Public Health Report, 2006).

Violence

Another element negatively affecting women's physical and mental health is that the proportion of women who have been subjected to violence or threatening behaviour has almost doubled since the beginning of the 1980s. During the 1990s, it was mostly the youngest women (16-24 years) who were responsible for the increase. In 2003, 12 per cent of the women in this age group reported that they had been subjected to violence or threatening behaviour perpetrated almost exclusively by men. See also Article 6 in this report.

A harsher social climate

Mental ill-health among girls and young women has many causes, and is due among other things to general changes in attitudes, media influence and a harsher social climate with greater pressure on individual achievement and success, particularly in school and working life.

People's fixation about appearance and sexualisation of the media, advertising and public space have an adverse affect on the self-esteem of girls and young women and contribute to their mental ill-health.

School health care

The mental ill-health among girls and young women demands the highest possible attention and represents a major public health problem.

Financial cutbacks have resulted in deteriorations in the welfare system. This is particularly serious in services such as the school health care service where the chances of detecting those at risk and preventing mental ill health have decreased. There are currently too few school

nurses in relation to the number of pupils in Swedish schools for them to have a reasonable chance of detecting and treating children and young people who feel unwell, as is stipulated in the Education Act.

The Child and Youth Psychiatry Service (BUP) recommends a statutory investment in pupil health, i.e. a rewording of the Education Act.

The Children's Ombudsman has pointed out the worrying trend among young women in Sweden and believes that stress, bullying, the work environment at schools, less time with adults, increased demands and greater vulnerability are contributory factors.

The Children's Ombudsman recommends more inter-stakeholder cooperation on children and young people, including the social services, primary health care services and schools. School health services always need not only doctors and nurses but also psychologists and welfare officers.

Disability

Women with disabilities are a particularly exposed and vulnerable group in society. The disability often coincides with other forms of discrimination which makes the situation more difficult for women.

Persons with disabilities generally have much poorer health and experience serious health problems to a greater extent than the rest of the population. Furthermore, women with disabilities have even poorer health than men with disabilities. There are however major variations depending on the type of disability. Age also plays an important role in this respect, as older people with disabilities have more serious health problems than younger people. Persons with a different ethnic background generally have poorer health. The largest difference is seen between Swedes and people from non-European countries. The number of women who experience serious health problems, irrespective of age and ethnicity, is greater than the number of men.

Women with disabilities often suffer from more than one disability and their pharmaceutical consumption is higher than among men with disabilities. This includes painkillers, soporific drugs, anti depressants and tranquillisers. Women with disabilities who have been subjected to violence have poorer health than other abused women.

How people perceive their health condition depends a great deal on how they see their life situation. Persons with disabilities often live in a financially difficult situation. This is very much the case for women. Every second person with mental problems has difficulties managing their everyday expenses and almost a fifth of all people with physical disabilities or who are deaf cannot afford all the necessary treatments and technical aids. Approximately 60 per cent of all visually impaired women of working age are involuntarily unemployed.

Support measures

Studies have shown that the municipal support services reach men to a higher extent than women. Women with disabilities have less access to technical aids and when they do receive these, they are simpler and less advanced.

Rehabilitation

Women and men have the same basic needs for rehabilitation. Everyone wants to work despite their disability, pain or disease. The regulations for rehabilitation seem at first glance to be gender-neutral but in reality they favour men's life situation, conditions and prerequisites. One consequence of this is that men get rehabilitation sooner and the measures

taken are also more extensive compared to those for women. More resources are invested in men when it comes to education and occupational training. (National Board of Health and Welfare, *Jämställd vård? [Equal care?]*, 2004).

Occupational injuries

The latest occupational injury statistics presented by the Social Insurance Office show that it is twice as difficult for women than for men to have their injuries/diseases classified as occupational injuries. Only 13 per cent of women's applications for life annuity on the grounds of occupational disease/injury were granted in 2006 compared to 26 per cent of men's applications. 72 per cent of women who applied were refused compensation as their injuries were not considered occupational in nature, compared to 59 per cent of men. Women's problems are not seen as occupational injuries, which has a seriously negative impact on their finances.

Women and men have different types of injuries and women's injuries are more often characterised by diffuse pain. This is due to women more often having more repetitive working tasks which cause this type of pain. All occupational injuries which are not the result of accidents are called occupational diseases and most of these are caused by repetitive strain.

International research on repetitive strain injuries mainly deals with heavy lifting which is common among male-dominated professions. There is insufficient research on how repeated light strain affects the body. Women subsequently do not get their pains recognised as occupational injuries. Even women who are exposed to heavy strain, such as care staff, also have problems getting their pains acknowledged as occupational injuries. Injuries caused by several years of lifting and moving patients are the most difficult cases to claim for.

Care work is one of the heaviest professions but the occupational injuries are poorly documented and there is insufficient research which further handicaps women. The Social Insurance Office lacks knowledge about the working environment in the care sector and they almost always claim that the injury is not associated with work but is a natural age-related change. Furthermore, men take women's pains less seriously.

The Work Environment Act

Work environment lawyers feel that the Work Environment Act and the statutes laid down by the Swedish Work Environment Authority are sexist and out-of-date. The regulations have not been adapted to current working life and the fact that half of the workers are women. One example of this is that the Act's area of application does not cover personal assistants, a category dominated by women. Chapter 2 of the Work Environment Act describes work environments and almost exclusively in terms of physical working environments, while women often have people and relations as their working environment. The wordings and male focus of the Act has influenced the judgements and organisation of the supervisory authority. The authority's officials spend more time preventing injuries among men than among women.

Article 13 - Eliminating discrimination against women in other areas of economic and social life

Under article 13 Sweden has undertaken to carry out all appropriate measures to eliminate discrimination against women in cultural life. Below, we show the areas where Sweden has failed to implement this undertaking.

Swedish handicrafts survives as a result of women's benevolence

Section 326 of the Government's report discusses Sweden's cultural policy from a gender equality perspective. In recent years, analyses and reports have shown that women are being discriminated against in the cultural sector and in cultural policy.

The Swedish Government has invested in design and form in recent years. Both handicraft and industrial design have been used to profile and market Sweden. But the Government has not taken any responsibility for all the women who have educated themselves in the fine arts, handicraft and design. 80 per cent of all handicrafters are women and 60 per cent of all graphic artists are women.

The artist/handicrafter is therefore often a woman who has difficulties in finding employment and who is expected to be an entrepreneur.

Only 20-30 per cent of people with some form of artistic degree manage to establish themselves on the labour market one year after their graduation. Of those who have managed to establish themselves as handicrafters, 35 per cent of the men have an additional income. Of female handicrafters, 62 per cent got more than half their income from sources other than their handicraft.

49 per cent of the women and 25 per cent of the men have university education within their own speciality. The women earn less despite their higher education.

Female artists in Sweden have a more precarious financial situation compared to male artists. Even in this area of the society, women have a lower salary compared to men, which leads to lower pensions, most often only a basic pension. Another consequence is a low, almost non-existent, sickness allowance.

Only 3 per cent of female handicrafters manage to make a living that corresponds to the minimum subsistence level. This means that 97 per cent of female handicrafters work for a salary beneath the minimum subsistence level. These women are well-reputed, well-educated and well-established female artists. The situation is similar for artists in other fields, e.g. graphic artists (*Konsthantverkare Genus och omvänd ekonomi [Handicrafters, Gender and Inverted Economics]*, Witt 2004).