
**Committee on the Elimination of
Discrimination against Women
Twelfth session**

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**Concluding comments of the Committee on the Elimination of
Discrimination against Women: Sweden**

Third periodic report

474. The Committee considered the third periodic report of Sweden (CEDAW/C/18/Add.1) at its 226th meeting, on 1 February (see CEDAW/C/SR.226).

475. In introducing the report, the representative reminded members that active and continuous work was needed to achieve a balance of power and de facto equality between men and women, which meant that the differences in conditions in society had to be made more visible and taken into consideration in all policy fields. Of as much importance as political will was activity by women themselves in demanding changes and improvements. Although Sweden had come further than many other countries, problems still remained and prejudices and traditional views persisted, which prevented women from the full enjoyment of entirely equal opportunities.

476. She described the latest developments in Sweden, pointing out that the Minister of Social Affairs, who was also Deputy Prime Minister, had taken over equality issues in January. As a result of the general election in September 1991, a coalition Government had been formed, which included 8 women in a cabinet of 21 ministers. Among others, the ministers of finance, justice and culture were women. The number of women in Parliament had decreased (from 38 to 34 per cent) mainly because two new political parties, both with a low proportion of women, had obtained seats in Parliament.

477. The new Equal Opportunities Act had entered into force on 1 January 1992. Its purpose was to strengthen the possibilities for men and women to have the same opportunities in working life, and to improve cooperation between employers and employees in order to attain equality and prevent the occurrence of differences in pay and other terms of appointment.

478. Employers were obliged to take active steps to promote equality at the workplace: those with 10 or more employees had to draw up a plan for their work to achieve equality. An account of how the measures had been implemented had to be included in the plan for the following year. In addition, employers had to ensure that no employee was subject to sexual harassment. An employer who did not

comply with the obligations would be liable to a fine. The Equal Opportunities Ombudsman and the Equal Opportunities Council oversaw compliance with the Act.

479. The second part of the Act contained several provisions concerning sex discrimination. The rules on pay discrimination had been strengthened so as to enforce the principle of equal pay for equal work and work of equal value. Cases of infringement were tried mainly by the Labour Court on the initiative of the Equal Opportunities Ombudsman or a trade union.

480. Moreover, the Act contained proposals to strengthen the Five-Year Plan of Action for Equality. Violence, battering and other forms of physical abuse against women were considered to be serious expressions of the lack of equality and imbalance of power. Corrective measures included the nationwide training of personnel (police officers, judges, medical doctors and social welfare officers) who came into contact with battered women. The aim was also to achieve better coordination between the authorities at the regional and local levels. The police had been allocated funds to provide technical equipment and bodyguards for women who were subjected to threats of violence. In addition, Parliament was taking action to increase the penalties for crimes of trivial assault from a fine to imprisonment for up to six months. The sentence for aggravated assault was at least one year and at the most 10 years.

481. In accordance with general recommendation 18 (tenth session), 14/ the representative mentioned special provisions concerning the status of disabled persons. She also referred to a bill that would strongly increase the financial support for disabled persons, and the provision of a supplementary pension for those taking care of a disabled child. She noted the project entitled "Women with disabilities", which was intended to create networks, stimulate activities and draw attention to the situation of disabled women.

482. She said that the Swedish educational system was undergoing a change. Municipalities were free to set their own priorities for the use of resources but the general goals were set by Parliament. The national goal, according to the Education Act, was the achievement of equality between men and women. Recently the Government had instructed the National Agency for Education to develop a strategy to attain that goal. Two working groups had been set up to study the promotion of equality in the school system and female participation in higher education.

483. The participation of women in the labour market was very high; 83 per cent of Swedish women were gainfully employed in 1991. However, women's increasing participation had not been matched by a similar increase in men's use of the parental benefit. Currently, only 8.1 per cent of fathers used the benefit to stay at home on almost full salary during the first 12 months after the birth of a child. A

new working group, "Fathers, children and working life", had been appointed to deal with the issue and to study the obstacles in working life that hindered men from taking such a leave of absence.

484. The labour market continued to be sex-segregated to a large extent. Together with other measures, the upgrading of women's traditional work was considered important. The issue of pay differences was high on the agenda in Sweden. A committee had been appointed to look into the matter and it would be presenting its report to the Government shortly.

General observations

485. Members commended the third periodic report for its comprehensiveness, with regard to both content and form. Members noted that there was not much need for further questioning. Sweden was praised for submitting its reports in a timely, interesting and well-organized fashion. Moreover, the fact that the Government had not made reservations to the Convention was noted with appreciation. The Committee was pleased that the Government recognized the importance of the Convention as a major human rights instrument.

486. The members acclaimed the activeness of Swedish women, which they characterized as a movement, in promoting equal opportunities between men and women for many years. They referred to the research and analysis conducted, the political pressure exerted and their other means of work. Special reference was made to an international meeting (Kvinnor kan) held the previous year at Stockholm, at which thousands of women had gathered to examine the achievements of Swedish women in all fields of society. Many members had had a chance of participating in that extraordinary event. They had recognized how the women's movement in Sweden had attracted an extremely large number of women, who had a strong will and the enthusiasm to make still further progress in their status.

487. The valuable experience of the policies of the Government of Sweden was said to provide a good model for other States parties. The formula for bringing about equality seemed to be a combination of Government action to determine the framework, and a positive individual response, for the removal of all the barriers. Government policy concentrated not only on equality between men and women, but also on the improvement of the living standards of all citizens, which had made Sweden a model of the welfare State. While the policies of the Government were praised, anxiety was at the same time expressed by the Committee about what would happen if the welfare system (if it was the main contributor to the advancement of women) was called in question and policies changed on account of structural economic problems. Members specifically asked whether the new Government of Sweden would continue the policies of the previous Government and maintain the same social services. The Committee expressed its concern about

how the Government would adjust its policies to reflect economic reality during the recession. It was hoped that the continued and sufficient exercise of the existing machinery and power of women would ensure that adjustment policies would not be detrimental to Swedish women.

488. The representative replied that the welfare State of Sweden was not over yet, although economic recession had precipitated a serious discussion concerning the necessary adjustments. The Government intended to maintain and further a high level of social services. She noted that economic problems had strengthened the movement of women in their work of defending equal rights.

489. The Committee also applauded the institution of the Equal Opportunities Ombudsman to monitor and implement equal rights legislation. Moreover, a tribute was paid to the work of women's organizations in instituting development programmes in developing countries. Noting that Sweden had been ranked first in an index concerning the status of women, 15/ a member pointed out the flawed methodology of using certain indicators, representing mainly social and economic measures. Such a practice had a negative effect on the ranking of poor countries, which might have succeeded better in the human rights area, specifically concerning women's rights. A more realistic and objective system of evaluation was required to conform the methodology of measuring human development to the criteria used by the Committee on the Elimination of Discrimination against Women, giving consideration, among others, to the social role of women, their participation, self-administration and individual mobility.

490. While the high political participation of women was acknowledged, the Committee was concerned about true equality in the labour market. Although women's participation rate in the labour market was one of the highest in the world, women still lacked access to the highest positions, especially in the private sector. Taking into account the high level of education and the encouraging policies of the Government, members regretted that the labour market remained highly sex-segregated. The Committee asked an additional question about a possible new concept of gender neutrality, as reference was made in the Equal Opportunities Act to "the equal rights and opportunities for men and women". Members considered that, in order to promote women's rights in professional life, the law should stipulate more explicitly the goal of improving the status of women. The representative answered that, although the wording of the Act was not biased in favour of either sex, the law in the first instance clearly stated its aim, namely, improving the status of women.

491. An additional question was asked concerning the role of non-governmental organizations in the preparation of the third periodic report and, specifically, how many and what kind of organizations had been involved and what kind of consultations had been held between them and the Government. The representative replied that the Council on Equality Issues, consisting of 29 members from

non-governmental organizations, women's organizations, political parties etc. had made valuable comments on the report. The Minister of Equality Affairs held consultations with the Council four to five times a year in order to share information.

Questions related to specific articles

Article 2

492. The Committee wanted to know, with a view to extending the protection afforded under the Penal Code, what the most frequent forms of sex discrimination in Sweden were. The representative replied that sex discrimination usually concerned the conditions of women in working life, which was why the Equal Opportunities Act (a part of the labour law) regulated that area. In addition to the Constitution, there were rules in other fields also, most notably in education. Sex discrimination was not treated as a criminal offence, except in cases of violence and molestation. No decision had been made, nor was one likely to be made in the near future, on extending the scope of the Swedish Penal Code to cover sex discrimination.

493. Regarding the punishments for employers who infringed the Equal Opportunities Act, the representative said that employers could be forced to pay compensation to the victims. Compensation was paid for both financial loss and moral injury. Although there had been a tendency towards awarding higher compensation, the level of payment had generally been recognized to be rather low. The highest amount paid so far had been 40,000 kronor (US\$ 5,600).

494. The representative did not believe that a fear of punishment led to the settlement of discrimination disputes by negotiation. On the contrary, the Equal Opportunities Ombudsman had a duty to attempt to bring about a voluntary settlement first. Only if the ruling would constitute a precedent, or for other special reasons, would the case be presented at the Labour Court. Moreover, many women felt the judicial process to be difficult and embarrassing.

495. Asked about the nature of the majority of the cases that had been brought to court, the representative said that most were related to conditions for work. Usually the problem was about evaluating and comparing qualifications for the job concerned. The hearing of a case thus centred more on the merit of the candidate than on the issue of discrimination. Section 17 of the new Act was intended to deal with cases where the employer had a direct discriminatory purpose.

496. Clarification was requested on the national machinery, especially in view of the recent transfer of responsibility for equality issues from the Ministry of Culture to the Ministry of Social Affairs. It was noted that proper coordination and integrated problem-solving were essential for efficient work. The representative

stated that there was no ministry dealing solely with equality issues; the issues had been incorporated into various ministries, depending on which minister was responsible for equality affairs, which, in turn, depended on the political situation and who wanted to assume responsibility for the task. The Equality Affairs Division was a coordinating body monitoring and influencing other ministries to take gender perspectives into account in their proposals, recommendations and legislative work. It functioned as a watchdog for other bodies.

Article 3

497. Referring to a bill that would strongly increase the level of financial support for disabled people, the Committee requested that a copy of the bill be made available, as well as information on how it affected disabled persons. Members asked whether disabled women had their own non-governmental organizations or whether they acted inside the existing women's organizations.

Article 4

498. Replying to a question on the award of parental benefit until a child was eight years old, the representative said that the duration of parental benefit totalled 15 months, which could be deferred and spread over an eight-year period. Parents could decide between them how they divided the time taken off from work; however, both parents could not receive such a benefit simultaneously. Fathers were entitled to 10 days of leave with parental benefit in connection with childbirth.

Article 5

499. With regard to the funding of the Ethical Council, the funds were received solely from the advertising associations and the Council did not receive any funds from the Government.

500. Asked about the incidence of violence, statistics on the subject and recent trends, as well as the most frequent forms of violence, the representative said that assault was the most frequent form; 14,285 cases had been reported in 1991. In comparison with 1990, there had been a slight decrease. The trends concerning reported rape had been more or less constant since 1989; however, the statistics did not provide an accurate picture, since many women did not report such crimes. There had been limited, inconclusive research on the reasons for male aggression, but there was a consensus that the overall explanation lay in the lack of equality and imbalance of power between men and women.

501. In general observations, the Committee, referring to training given to persons dealing with battered women, wished for more information on the effects of that training in the next periodic report. In a time of changing social patterns, the key

questions were how to change the violent pattern of male behaviour and how to reach suffering women. It was suggested that a survey should be conducted among the battered women themselves.

502. Referring to the achievements of the Government of Sweden in other fields, members noted with concern that the trend of violence was constant. They pointed out that the issue had appeared on the agenda of the Government quite recently, which was a reason for them to request that a closer relationship be forged between the Government and the grass-roots levels, especially women's groups. The Government was asked to consider taking a different approach to the treatment of domestic violence, because the problem seemed to be hidden, as reflected in the underreporting. If the cases were treated as other criminal offences were, with the police being obliged to arrest and prosecute the perpetrators regardless of whether the women wished to prosecute or not, with therapy provided for the perpetrator, the positive outcome would be a changed social attitude towards domestic violence.

503. The representative responded that the subject of violence had not recently been taken up by the Government and it had definitely not been forgotten, as legislation had been quite severe and public procedures provided. Domestic violence was an extremely difficult area with particular characteristics that could not be compared with those of other acts of violence. The policy of the Government in addressing the problem was to take into account all aspects of the equal opportunities policy in order to bring about changed patterns of behaviour in all fields.

504. With regard to men's response to the "Daddy come home" campaign, the representative said that no statistics were available on the impact of the campaign. The campaign was continuing, taking different forms each year. Its aim was to achieve changed behavioural patterns in the long run.

505. In an additional question, members asked whether statistics were available that would show differences between urban and rural areas with regard to men's use of the parental benefit. The representative regretted that no such information was available but hoped that some statistics could be included in the next periodic report.

506. Asked about the role of men within families, she referred to a recent study, which had shown the amount of time that women and men spent on work. The amount of time was approximately the same, the difference being that only half of the working time of women was paid. Members asked for more information on single-parent households and on the sharing of household tasks.

Article 6

507. Asked about public opinion, as well as that of women's organizations, on prostitution, whether prostitution was increasing or decreasing, and whether mainly

Swedish women or also immigrants were involved, the representative said that the latest survey concerning prostitution was 10 years old. Currently the issue of whether the act of purchasing the services of a prostitute should be criminalized was being debated intensively and a committee had been appointed to study the matter.

Article 7

508. Regarding legislation that would ensure a certain proportion of women in the lists of candidates for popular election, the representative stated that such legislation did not exist. However, many political parties had internal rules or practices on the nomination of women.

509. Asked whether Sweden still promoted the "Fifty-Fifty" campaign as seen in some international forums, the representative stated that the goal remained the same, although the Government could not impose a certain behaviour on political parties. The Government was only responsible for certain areas (boards of public bodies, committees, working groups etc.). To affect the political parties, public opinion needed to be created. Generally, women remained active in political life; all political parties had their own women's organizations.

510. The representative gave a positive answer to a question concerning the current target of attaining 30 per cent of women on public bodies. On committees and at the regional level, the number was slightly under 30. The next goal was 40 per cent by 1995. An evaluation of measures taken in recent years would be presented to the Government shortly. In an additional question, an explanation by the Government was requested concerning the obvious obstacles women experienced.

511. Asked about the efforts of employers' and employees' organizations to increase the number of women in decision-making bodies, the representative said that general activity had risen in that field. She referred to training and projects, which were aimed at both encouraging women to seek higher positions and bringing about a change in attitude. Special reference was made to the Swedish Trade Union Confederation, which had created a large network and acted successfully as a pressure group contributing to an increased visibility of the problem.

Article 11

512. Regarding the current level of female unemployment, the representative said that it had increased to 3.6 per cent, as against 5.5 per cent for men. The unemployment rate for young women was as high as 9.1 per cent (11.6 per cent for young men).

513. In an additional question, the Committee indicated its serious concern about the high unemployment rate among young girls, as the first work experience of a person was crucial to her or his attitude towards employment generally. Members asked whether the Government intended to improve the situation. The representative replied that the Government had not given up its goal to maintain full employment in the country. The unemployment rate was, however, likely to increase in the future, because of the restructuring of the public sector, especially at the local level. The Government planned support programmes for young unemployed persons.

514. Asked about the criterion on which the decision to phase out gradually the widow's pension had been based, the representative noted that the main reason was to strengthen the financial support provided for children and to have the same rules for men and women.

515. Concerning the minimum wage, she explained that it was not covered by legislation; wages were set by collective bargaining. Collective agreements might contain minimum wage provisions for certain categories of worker.

516. The Committee asked whether the goal that all children under six years of age should be entitled to State child-care facilities had been reached. The representative replied that some municipalities had reached the goal, while others still lacked a sufficient number of child-care facilities. The issue was currently being discussed within the Government.

517. Asked about the sex-segregated labour market, the representative noted that the same problem prevailed in the school system. In reply to a question about the effects of the Equal Opportunities Act, she said that an evaluation of the Five-Year Plan of Action for Equality would begin in 1993 and its results would affect the implementation of the new Act. Members pointed to the low percentage of women in higher positions, especially in trade unions and private enterprises. They asked whether private companies had internal plans of action to promote the progress of women in the workplace. The representative referred to a strong women's movement in trade unions, and was hopeful that the situation would improve in the near future. A study had revealed that, although the very top-level echelons lacked women, many women were employed at the level immediately below. The Government tried to encourage companies or offices to promote women to higher positions. She remarked that it was very important to have statistics to make the problem more visible. She affirmed that the provisions of the new Equal Opportunities Act applied similarly to public and private employers.

518. Asked about the disadvantages experienced by disabled women in entering the labour market, she said that she presumed that double disadvantages for them existed, although there were no studies on the matter. In reply to a question concerning male dominance and promotion differences in the Foreign Ministry, the

representative said that a network had been created recently among the women working in the foreign service aimed at improving the situation within the Ministry.

519. Additional questions were asked about women working part time, since the number in Sweden was extraordinarily high. Members also asked what the results had been of the Government effort to reduce involuntary part-time work and what was the attitude of labour unions. The representative referred to the previous Government's declaration to consider other measures if the situation remained unchanged. Although the previous Government had had no success on that issue, she hoped that changes would occur under the new Government. Since the unemployment rate had increased, however, part-time employment had become a minor problem.

Article 12

520. A member of the Committee requested information on the incidence of AIDS/HIV among women.

Article 16

521. An additional question was asked about the trend concerning single-parent households, what the divorce rate was, and how many children were born out of wedlock. The Committee also wanted to know about public opinion on single-headed households, and what women especially thought about the matter. No statistics were immediately available, but the Government promised to include them in the next periodic report.

Concluding observations

522. The experience of Sweden could be viewed with both admiration and anxiety. Sweden was at the vanguard of the movement for women's rights, but the experience also showed how long the process took and the problems that remained. On account of economic crisis and technological progress, many Western European countries were facing new challenges, not least a welfare State like Sweden, which in former years had guaranteed full employment for its citizens. All the changes would have an effect on the status of women also. The Committee observed that it was therefore essential that Swedish women, among others, doubled their efforts in pushing women's rights further forward. The Committee expressed its hope that women would, after their efforts, stand even stronger, together with the welfare State itself.