



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
11 March 2008

Original: English

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

Summary record of the 826th meeting

Held at the United Nations Office at Geneva, on Friday, 25 January 2008, at 10 a.m.

Chairperson: Ms. Šimonović

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08-23353 (E)



The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined sixth and seventh periodic reports of Sweden (CEDAW/C/SWE/7, CEDAW/C/SWE/Q/7 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Sweden took places at the Committee table.*

2. **Mr. Hallerby**, introducing the report, said that all forms of discrimination were obstacles to democracy and that all people must have equal opportunities in all areas of society.

3. Sweden's new Government, elected since the submission of its previous report, had established a Ministry of Integration and Gender Equality with responsibility for issues such as gender equality, integration, human rights, democracy and national minorities. The Government believed that a society where women and men shared power and influence in all areas had better prospects for development and growth.

4. Despite advances in promoting gender equality in Sweden, much remained to be done. As one of its first measures, the new Government had increased its annual budget for gender equality from €4 million to €40 million. It had adopted an action plan on violence against women and had earmarked €80 million for implementing measures over the next three years. As part of its 2007 budget bill, it had also announced an initiative to promote women's entrepreneurship with an additional allocation of €10 million annually. It had allocated resources for further research into women's health, appointed a commission of inquiry to review career structures in higher education and amended the Abortion Act so that a woman no longer had to be a Swedish citizen or resident in Sweden in order to have an abortion.

5. Gender mainstreaming — long-term strategic integration of a gender perspective into all relevant policy areas — was the Government's main strategy for achieving gender equality. However, it did not rule out the use of special measures or specific legislation to protect women and girls from discrimination and lay the foundations for sustainable change in institutions and society.

6. Because local and regional authorities were responsible for basic services such as schooling, childcare, health care and care of older persons, the Government had allocated €10 million to gender mainstreaming at those levels, including through staff development and training and the development of management systems.

7. The existing legislation was a patchwork of laws and statutes. In the spring of 2008, a more comprehensive, cohesive anti-discrimination bill that would prohibit discrimination on the grounds of sex, sexual orientation, gender identity, ethnic background, religion or other religious beliefs, disability and age would be placed before Parliament. The bill would apply to working life; education; goods, services and housing; social services; the social insurance system; health care; and national military and civilian service and would substantially increase penalties for violations. In that connection, the Government would propose that the four ombudsmen should be merged into a single national authority, the "ombudsman against discrimination", who would monitor compliance with the new act.

8. The €80 million action plan to combat violence against women, violence and oppression in the name of honour and violence in same-sex relationships, described in paragraph 56 of the responses to the list of issues (CEDAW/C/SWE/Q/7/Add.1), focused on groups of women whose circumstances and situations made them especially vulnerable to violence, including women with disabilities or abuse problems, immigrant women, women members of national minorities and older women. The plan also recognized that specific knowledge and, in some cases, special routines were needed in police investigations, risk assessments and the work of social services engaged in combating violence and oppression in the name of honour since there was often more than one perpetrator and other women and girls might participate.

9. The measures to be taken under the plan were grouped into six areas. In the area of protection and support for victims, the Social Services Act had been strengthened through a clearer statement that municipalities had the duty to provide support and assistance to victims of crime, and a national programme for the treatment of victims of sexual crimes would be established. In the area of preventive measures, a virtual youth clinic would be established on the Internet and resources would be allocated to a

safer urban environment. In the area of enhanced quality and effectiveness in the judicial system, an education programme on enhanced treatment for victims of sexual abuse, including rape, would be designed for the police, prosecutors and the courts, and all men convicted of an act of violence against women would be offered treatment programmes. In the area of greater cooperation between the relevant bodies, county administrative boards had been assigned to support and coordinate regional efforts to combat men's violence against women, local cooperation would be stimulated and the Government would develop a national model for investigating cases of men's violence against women. Lastly, in the area of increased knowledge, the Government planned to initiate a scientific programme focusing on men's violence against women, violence and oppression in the name of honour and violence in same-sex relationships and to expand educational offerings for head teachers and staff in youth centres.

10. The Government viewed prostitution and trafficking in human beings as a serious obstacle to gender equality. It was preparing to prevent and combat those acts through judicial and social measures with a focus on addressing the demand for sexual services. The Act prohibiting the purchase of sexual services, which would be evaluated in 2008, should be seen as support for the work of the social services; criminalization could never be more than a supplementary element of the effort to reduce prostitution.

11. Labour market participation was fairly equal between women and men; owing to childcare options and paid parental leave, no one was forced to choose between children and a job. Part-time work could facilitate the lives of the parents of small children; however, far more women than men were engaged in such work and their salaries, career opportunities and pensions were affected. In early 2007, the Government had introduced an earned income tax credit that provided an incentive for part-timers to work full time.

12. Wages were negotiated through collective bargaining in the labour market, a process in which the Government must not intervene. However, it was attempting to address the gender pay gap, which remained a serious problem, by promoting dialogue and debate, gathering and publishing gender-disaggregated statistics and setting an example by setting the target of eliminating unwarranted pay gaps

between women and men in the public sector by 2010. To that end, it had commissioned the Swedish Administrative Development Agency (Verva) to set up a programme on women's career development in the State sector.

13. About a quarter of all companies in Sweden were run by women, and women's share of business start-ups had been 35 per cent in 2006. During the past year, the Government had taken steps to make it easier and more profitable to run a company in order to increase the number of women participants in the informal networks from which top management were recruited. It had opened the health care sector to more providers and reduced employers' social insurance contributions in some service sectors. It had also launched a three-year programme (2007-2009) and allocated approximately €10 million to promoting women's entrepreneurship and increasing research on and knowledge of business opportunities for women. The programme included co-financing of business development measures, training of business advisers and development of Internet-based services and role models. In the coming year, the Government would present a comprehensive strategy to further develop initiatives with a view to gender equality in employment and entrepreneurship.

14. In order to promote equal opportunities in the labour market, the 2008 budget bill included a gender equality bonus that provided a strong incentive to parents to share the parental allowance; the parent who had stayed home for the longest time received a tax credit on returning to work, provided that the other parent was on parental leave at the same time.

15. **The Chairperson** said that the Government was to be congratulated on having ratified the Optional Protocol to the Convention during the reporting period. Many States viewed Sweden as a model for the enjoyment of human rights, but it was clear that some problems remained.

Articles 1 to 6

16. **Mr. Flinterman** said both the report and information received from non-governmental organizations (NGOs) suggested that the Convention was largely unknown in Sweden. The Human Rights Committee had commended the Government on its creative use of the International Covenant on Civil and Political Rights, even though the Covenant could not

be invoked directly in the courts; it would be useful to know of any cases in which the Convention had been similarly invoked. The Government should consider incorporating the Convention into domestic law, particularly in light of Sweden's recent ratification of the Optional Protocol. It would also be useful to know whether the legislature had a mechanism for reviewing draft legislation in the light of Sweden's obligations under the Convention, taking into account the general recommendations of the Committee.

17. A recent study had concluded that the Constitution was gender-blind. He wondered whether the delegation concurred with that view and, if so, whether the Government planned to take action to make that instrument more gender-sensitive.

18. **Ms. Schöpp-Schilling** said that although Sweden had a long history of respect for human rights, there were still problems in the economic sector. The delegation should explain whether the new anti-discrimination bill would incorporate the relevant European directives, whether it would reflect the provisions of articles 1 and 2 of the Convention and whether it would provide specifically for the application of temporary special measures in areas where there was proof of discrimination against women or where they were underrepresented in the public or private sector; in that connection, she referred the delegation to the Committee's General Recommendation No. 25.

19. She was sorry that the Government was unwilling to set goals and quotas for the number of women in private-sector management positions and wondered whether it planned to take other measures, such as the introduction of incentives, to address women's underrepresentation on the boards of private companies. Paragraph 179 of the report provided statistics on the percentage of women on central government governing boards for 2004; it would be useful to have data on subsequent years as well.

20. **The Chairperson**, speaking as a member of the Committee, noted that in order to bring a case before the Committee under the Optional Protocol, a woman must first have exhausted all local remedies. She would like to know what the last such remedy was and whether members of the judiciary received instruction in the Convention and the Optional Protocol.

21. **Ms. Tavares da Silva** noted the statement, in Government Bill 2005/06:155, that the overarching

objective of the Government's gender equality policy applied to everyone; however, the policy did not appear to address the problems of women members of vulnerable groups such as immigrant, refugee and minority women. In its previous concluding comments, the Committee had urged the Government to take effective measures to eliminate discrimination against those women (A/56/38, para. 356), but the report and the Government's responses to the list of issues mentioned only the Roma and Sami peoples; she would welcome information on other minorities.

22. It would be interesting to know the outcome of the regional seminars held by the working group of Roma women, mentioned in paragraph 52 of the responses to the list of issues, including any resulting plans or programmes, and to learn more about the European Union project mentioned in paragraph 57 of the responses.

23. The Government's responses to Question 29 on the list of issues were gender-neutral; there was little information on the specific situation of women members of vulnerable groups. She would like to know whether the delegation considered that the concerns expressed by the Committee in that question were justified.

24. **Ms. Dairiam** said that although the Government's intentions were good, the responses to the list of issues, and particularly paragraph 6 thereof, suggested that its efforts to achieve gender equality had been largely unsuccessful. The responses mentioned steering documents and annual action plans (para. 5); the delegation should explain what guidelines were available to the various ministries with a view to preparation of their action plans, what the normative framework for the plans was and whether it was based on the Convention, what central authority was responsible for monitoring all the plans and whether it prepared a report on their effectiveness, how performance was measured, what capacity-building programmes were available and whether senior civil servants and department heads were penalized if their ministries failed to prepare an annual plan or to achieve the goals set forth therein.

25. Lastly, she welcomed the establishment of the Ministry of Integration and Gender Equality and hoped that the relevant national machinery would also be created in order to lay a firmer foundation for gender mainstreaming.

26. **Ms. Shin** noted that progress towards gender equality in Sweden had been slower than expected. She asked the delegation to identify the factors involved, which commonly included men's attitudes, resistance on the part of the private sector and an inequitable distribution of responsibilities within the family.

27. The delegation had stated that the Government planned to pay greater attention to women with disabilities. She noted, however, that public policies on persons with disabilities often treated them as sexless; for example, they were often provided with a common toilet for men and women, which many of them considered demeaning. She asked whether the special needs of women with disabilities were being taken into account and, in particular, whether shelters for victims of violence included facilities for them, whether the police were trained to take their specificities into account — for example, in questioning blind or deaf witnesses — and what was being done to make their daily lives easier.

28. **Mr. Hallerby** (Sweden) said he agreed that progress towards gender equality had been too slow; for that reason, the Government had decided to increase the budget for, *inter alia*, training of law enforcement officials.

29. The problem of incorporating the Convention into domestic law was more theoretical than practical. Under Sweden's legal system, international treaties could not be invoked directly; they must be transformed into one or more domestic laws or their provisions must be added to an existing law. Those procedures had not been followed in respect of any of the international human rights instruments to which Sweden was a party, but their essence was reflected in the existing legislation and no substantial conflicts had been noted thus far.

30. **Ms. Bergman** (Sweden) said that it had not been necessary to incorporate the Convention into domestic legislation because there was no significant conflict between them. However, the Government had established a committee to ensure that all draft legislation complied with Sweden's obligations under international agreements.

31. **Mr. Hallerby** (Sweden) said that the Government had decided that the establishment of quotas in the private sector would interfere with shareholders' ownership of companies. In striking a balance between freedom for the private sector and measures to control

economic activities, the Government had decided to adopt such strategies as providing information to companies and promoting dialogue and debate. The proportion of men in the private sector had dropped from 95 per cent in 2000 to 81 per cent in 2008. The Government would step up its efforts to increase women's participation.

32. **Ms. Bergman** (Sweden) said that the action plan to combat men's violence against women, presented by the Government in November 2007, focused on immigrant women, as did the package of reforms aimed at promoting equality in the labour market. Financial bonuses were paid to municipalities that welcomed immigrants; there were also financial incentives for individuals to learn Swedish.

33. **Mr. Hallerby** (Sweden) said that in the autumn of 2006, the Government had appointed a Delegation for Roma Issues with the task of improving the situation of the Roma in Sweden. The delegation consisted of ten members, half of whom were of Roma origin. A number of experts and a broad reference group consisting of representatives of the Roma organizations had also been appointed by the Government. One of the Delegation's first tasks was to gather experience and knowledge in the area and submit proposals for how the living conditions of Roma in Swedish society could be improved. In December 2007 Sweden had organized a conference on Roma women's rights in cooperation with the Council of Europe and the European Union Agency for Fundamental Rights, with the objective of providing a forum for discussion and sharing of information and good practices between policy-makers and Roma networks across Europe on the challenges facing Roma women.

34. **Ms. Lundkvist** (Sweden) said that gender mainstreaming was the main strategy used by the Government for implementation of its gender equality policy. The Government had established an overall Plan for Gender Mainstreaming in the Government Offices 2004-2009, which all ministries were obliged to implement. In addition, each ministry developed its own action plan with the aim of achieving the targets set out in the overall plan. Four areas had been identified as particularly important in that respect: management and control, training, methods, and the organization of work. The Division for Gender Equality carried out the annual follow-up and evaluation of the overall plan and would conduct a

more comprehensive evaluation in 2010. In 2007, the Government had presented proposals on how to mainstream the gender perspective within the State sector at the level of the national agencies.

35. **Ms. Neiglick** (Sweden), referring to the treatment provided to vulnerable groups of women, said that the 290 municipalities, which enjoyed a high level of autonomy, were responsible for providing assistance. In addition, the social services agencies had a duty to provide assistance to women victims of violence and to disabled women. The Government had allocated substantial funds to municipalities to enhance their capacities to support women victims of violence. Not all municipalities had the capacity to provide disabled women with access to shelters, but were responsible for referring women that they could not assist to a neighbouring municipality.

36. **Mr. Härneskog** (Sweden) said that Sweden's definition of discrimination on the grounds of sex had been established in the early 1980s. When Sweden had ratified the Convention in 1980, it had not seemed necessary to amend existing legislation. The definition contained in subsequent legislation had been modelled on case law from the European Court of Justice and on European Union directives with a view to prohibiting direct and indirect discrimination, harassment and sexual harassment. When amendments were made to existing legislation, the language used in the new texts was gender-neutral; it therefore seemed probable that the Instrument of Government (Constitution) would also be rendered gender-neutral when amended.

37. **Mr. Hammarstedt** (Sweden) said that one of the aims of the Government's action plan on gender equality was to promote women's representation in the Sami Parliament and civil service. Under the plan, targets for women members of the Sami Parliament had been set at 30 percent by 2005, 40 per cent by 2009 and 50 per cent by 2015, with a target of equal gender distribution among civil servants by 2010; both targets had already been met. The Government also allocated funds to Sami women's movements in order to increase women's influence and gender equality in Sami society.

38. **Ms. Halperin-Kaddari** said that the definition of rape in the Penal Code, which referred to the need for violence or threat of violence and did not mention the victim's lack of consent, was not in line with existing perspectives of criminal law. The Committee had not

received enough concrete data on actual convictions and levels of punishment. Through the information provided by the Swedish National Council for Crime Prevention, the Committee had learned that 5 per cent of rape cases reported ended in a conviction. It would be useful to know how that figure compared with other criminal procedures in Sweden. The delegation should clarify whether disaggregated data on crime was available. The sentences of 2 to 6 years for rape and 10 years for rape under aggravated circumstances seemed low. It was possible that the levels of violence had not decreased because the levels of punishment were insufficient.

39. **Ms. Tavares da Silva** said that information from civil society showed that men controlled the content of the media even though almost half of journalists were women. Women were mainly portrayed as objects of sexual desire or their images were used to increase consumption. The delegation should comment on that evaluation and should clarify which measures it would take to address that situation. It might be necessary to review the legal provisions concerning freedom of press that allowed that situation to continue.

40. **Ms. Coker-Appiah**, referring to the Aliens Act, said that she was concerned that a woman could not claim refugee status on the grounds that she feared gender-related persecution by non-State actors. Article 2 required States to take measures to eliminate discrimination by non-State actors. The Government should thus reconsider the restrictive interpretation of that definition. Clarification should be provided of the Government review of the 2004 anti-trafficking legislation and of the action taken by the Government to implement the recommendations of that review.

41. **Ms. Ara Begum** welcomed the law prohibiting the purchase of a sexual service, but wished to know whether an action plan had been drawn up and priority areas identified; what punitive measures were applied to persons breaking the law; and whether any measures were in place to offer women involved in the sex trade an alternative livelihood. The Committee would also be interested to learn how Sweden supported women victims of trafficking, especially illegal residents who were unable or unwilling to report it, and how it addressed the issue of underage foreign girls involved in the sex trade. She was curious as to whether the action plan to combat men's violence against women, violence and oppression in the name of honour and violence in same-sex relationships included a separate

mechanism for domestic violence and spousal rape, and whether the existence of domestic violence entitled a migrant woman to apply for a residence permit. Lastly, the delegation should tell the Committee about measures to address violence in the workplace.

42. **Ms. Chutikul** asked how much progress had been made on the Action Plan to Prevent and Combat Prostitution and Trafficking in Human Beings for Sexual Purposes and the measures to combat trafficking for labour exploitation and for other purposes; whether NGOs had been involved in the process; and whether the Government intended to use the Guidelines on Human Rights and Human Trafficking drawn up by the United Nations High Commissioner for Human Rights and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), when preparing those documents. The Action Plan should cover the whole cycle of trafficking. She would also appreciate more information about the implementation of the strategy entitled “Poverty and Trafficking in Human Beings”, which aimed to combat trafficking through international development cooperation, and about the impact of the new provisions in the Aliens Act on foreign victims of trafficking.

43. While commending the Government for hosting the first World Congress against Commercial Sexual Exploitation of Children and for its efforts to address demand, she asked whether it had followed up the recommendation by the Committee on the Rights of the Child in 2005 that the State party should strengthen the legislation allowing the prosecution of Swedish citizens involved in sexual exploitation of children abroad, including by prohibiting the reissuance of passports for persons freed after posting bail. The Committee had learned that the latter continued to be issued with new passports, enabling them to jump bail.

44. **The Chairperson**, speaking as a member of the Committee, asked whether the action plan to combat men’s violence against women, violence and oppression in the name of honour and violence in same-sex relationships took account of the recommendations contained in the report of the Special Rapporteur on violence against women, its causes and consequences (A/HRC/4/34/Add.3). That report stated (para. 34) that about 400 cases of honour-related violence came to the attention of the authorities every

year, but provided insufficient information about female genital mutilation; the delegation might wish to remedy that. She also wished to know whether the Government had commissioned a study on violence against Sami women, in line with the recommendation contained in paragraph 71 (a) (v) of the report, and whether it offered special protection and support to all women who remained in prostitution, in line with the recommendation contained in paragraph 71 (a) (iv) of the report. She referred in particular to rehabilitation courses and opportunities to adopt a different lifestyle.

45. The delegation should also clarify the procedure for issuing protection orders; provide more information about the National Police Board’s guidelines for threat and risk assessments in cases involving domestic violence; and inform the Committee as to the number of cases of violence against women, including domestic violence, in 2007. Lastly, she encouraged the reporting State to refer to General Recommendation No. 19.

46. **Ms. Österberg** (Sweden) said that, in addition to the six areas mentioned earlier, the action plan to combat men’s violence against women, violence and oppression in the name of honour and violence in same-sex relationships did indeed include measures to address domestic violence. It was common knowledge that most violence against women was committed by someone close to them.

47. The sexualization of the public sphere had been one of the priority areas of the gender equality policy for the period 2002-2006, with a particular focus on the mainstreaming of pornography. Funding had been given to a number of projects run by different NGOs, which had submitted their results to the Government. Some had focused on changing attitudes and developing strategies to counteract the problem; others had focused on the media. Preventive measures were also being taken through the Media Council, which was involved in the cross-European project known as SAFT — Safety, Awareness, Facts and Tools, which aimed to promote safe use of the Internet among children and young people. The Council frequently published reports on developments in the media. A report it published in 2006, containing articles by experts and youth advisers, had been distributed to youth clinics and schools. The Council had an ongoing mandate to monitor media awareness and media responsibility.

48. Lastly, the inquiry on sex discrimination in advertising appointed in July 2006 had now published its report, in which it proposed new legislation and other measures to combat discriminatory advertising. Those proposals would now be considered by the Government.

49. **Ms. Wirlée** (Sweden) said that applications for restraining orders were submitted via the police, but approved or rejected by prosecutors. Should the application be rejected, the applicant could always appeal. The number of applications had risen since the introduction of new legislation. In 2006 alone, the police had received over 10,000 applications, of which almost 4,300 had been approved.

50. As for the gross violation of a woman's integrity, there had been almost 2,400 reported cases in 2006; the clearance rate for such crimes was 49 per cent. She explained that the rate varied depending on whether it was calculated per person or per crime. In the case of rape and sexual crimes, the per-person clearance rate was 18 per cent, while the per-crime rate was 5 per cent. The overall clearance rate was 55 per cent.

51. **Ms. Österberg** (Sweden) pointed out that, even though the police received a considerable amount of training and possessed many investigative tools, it was difficult to obtain information from the crime scene itself. It was often hard to know, therefore, whether or not a particular crime was honour-related.

52. **Mr. Hallerby** (Sweden) said that a study was being conducted in cooperation with Stockholm University to determine the extent of honour-related violence in Sweden. One method that would be used would be that of asking teachers. The Government would know more about the issue by the end of April 2008, when the report was due.

53. With regard to the sexualization of the public sphere, he insisted that there were no plans to revisit the freedom of speech or the freedom of the press; such freedoms were fundamental rights. Instead, the Government planned to address the issue through dialogue and debate.

54. **Ms. Wilton Wahren** (Sweden) said that almost all residence permits were issued on an individual basis. Temporary residence permits issued on the grounds of family ties were the only exception. If the relationship ended during the term of the permit, the permit was not normally extended. However, if the

relationship ended because of violence or some other serious violation of a person's liberty or peace, the permit could be extended, even though the relationship had ended. Foreign women who were victims of domestic violence were, therefore, protected.

55. Since 2006, persons who had a well-founded fear of persecution on grounds of gender or sexual orientation could apply for refugee status. However, in order for a woman to qualify for such status, the State must have failed to protect her adequately owing to her gender, not simply because it lacked resources. The migration courts were responsible for interpreting the new provision. Thus far, no cases had been tried by the Supreme Migration Court. A number of first-instance migration courts had found, however, that the women in question had not been adequately protected by the State, which suggested that the courts were not very restrictive in their interpretation of the new provision. In any case, even if a person was denied refugee status, they could still apply for residency on a number of other grounds.

56. **Ms. Neiglick** (Sweden) said that the National Board of Health and Welfare had been commissioned to develop a system for investigating cases where women had died as a result of crime in a close relationship. The aim was to protect women whose lives were at risk. The Board's findings were due to be published in December 2008.

57. **Ms. Wirlée** (Sweden) said that, following the reform in 2005, the definition of rape had been extended, *inter alia*, through the lowering of the requirement of force. For a person to be convicted of rape, it was now sufficient for them to have forced the victim to engage in a sexual act by assault, violence, or threat of a criminal act. Convictions could therefore be secured on the basis of lesser forms of violence. Furthermore, it was no longer necessary for the victim to have offered physical resistance.

58. The starting point for the new legislation had been the absolute right of every individual to personal and sexual integrity and sexual self-determination. The Supreme Court had deemed the question of consent to be essential. A parliamentary committee had been set up to examine the extent to which legislation should focus on consent rather than on force. As part of its work, it had studied the legislation in force in a number of other countries. In the United Kingdom, legislation focused primarily on the issue of consent. However,

rape statistics were no better there than they were in Sweden and rape victims were subjected to a disproportionate amount of questioning. The legislation in effect in other Nordic countries, meanwhile, focused on the issue of force. The committee had therefore concluded that the new legislation must require the use of force. If legislation focused primarily or solely on the issue of consent, rape investigations would focus disproportionately on the victim.

59. The issue was the subject of ongoing debate in Sweden. When the new legislation had come into force, the Government had made a commitment to monitor its impact. In 2008, it would conduct a study on the implementation of the new legislation in order to determine whether its objectives had been met.

60. The National Criminal Investigation Department had been reluctant to estimate the number of women and children victims of trafficking in 2006, since the amount of resources allocated to combating the problem — and, therefore, the number of victims — varied greatly from one region to another. In terms of investigations that had ended in a conviction, however, most victims came from eastern Europe and the Russian Federation. The Government had also learned that Latvian and Ukrainian women and girls were being recruited for prostitution in Sweden. The perpetrators, meanwhile, came primarily from the Baltic countries. Some had been living in Sweden for a long time; others had come to Sweden specifically for that purpose. While there had not yet been any cases relating to trafficking for purposes other than sexual exploitation, there were indications that trafficking for labour exploitation existed in Sweden too. The issue was now being investigated.

61. Lastly, Sweden's anti-trafficking legislation was still under review; the report was expected by the end of April 2008. The Government would take up the issue of Sweden's ratification of the Council of Europe Convention on Action against Trafficking in Human Beings as soon as the committee in question had concluded its work.

62. **Ms. Wilton Wahren** (Sweden) said that, as noted in the report (para. 126), time-limited residence permits could be issued to victims or witnesses of trafficking in human beings and other crimes when it was deemed necessary in order to carry out a preliminary investigation or the main hearing in a criminal case. So far, 19 residence permits had been

issued on such grounds, 12 of them to women. Most of the people granted such permits left Sweden as soon as the case was closed. If they so wished, they could apply for an extension, or for a residence permit on other grounds. Many trafficking victims were European Union citizens and therefore had the right to reside in Sweden.

63. **Ms. Neiglick** (Sweden) said that the municipalities were responsible for providing social services for everyone in their respective areas through the social welfare committees. They were reimbursed for any expenditure for accommodation or other needs for victims of trafficking who had received temporary residence permits in connection with court proceedings. The National Board of Health and Welfare was responsible for drawing up an inventory of methods used by the social services, medical care and other actors, including NGOs and churches, when dealing with prostitution or victims of trafficking, and would present its report in June 2008.

64. **Mr. Hallerby** (Sweden) said that when the work on the action plan on men's violence against women had been completed, preparatory work had begun on a new action plan on trafficking and prostitution, which would be presented in the spring.

65. He did not yet have information about the impact of the law prohibiting the purchase of sexual services. In view of both Swedish and international interest in the subject, an evaluation was planned and the results would be available, by the end of 2008. His personal impression was that prostitution in public places had decreased remarkably. From discussions with police and other officials, it seemed that there had also been a substantial impact on trafficking.

66. **Ms. Lundkvist** (Sweden) said that a Government group was working on an action plan on trafficking for labour exploitation and would make proposals for action. The plan would be implemented in close contact with non-governmental organizations (NGOs).

67. **Ms. Bergman** (Sweden) noted that although four years might seem to be a short prison term for the crime of rape, prison terms tended to be shorter in Sweden than in other countries. Of course, there was a complex relationship between penalties and crime rates. An increase in crime rates could reflect an increase in crimes, but it could also mean an increase in people's willingness to report them.

68. **Mr. Javaheri** (Sweden) said that implementation of the strategy on trafficking would continue until 2009. It would mainly be implemented through the Swedish Development Agency, but some of the work would be done at the Ministry for Foreign Affairs, focusing on the different United Nations bodies, the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women (UNIFEM) and the International Organization for Migration (IOM). In IOM, for example, one person worked directly on trafficking issues. There was also a broad network of NGOs working on trafficking in human beings, mainly for sexual purposes. Bilateral work was focused mainly on the Balkans, including Moldova and Albania. The challenges included a lack of coordination at the local, regional and international levels and a lack of specific training in gender equality and human rights issues. Training for the victims was also needed.

69. **Ms. Tavares da Silva** said that freedom of expression was indeed a fundamental value of democratic society, yet she wondered what could be done when that freedom offended the fundamental values, rights and dignity of women. It was not clear that dialogue and debate alone would be sufficient to resolve the problem.

70. **Mr. Hallerby** (Sweden) said that some restrictions were of course in place, but the best way to counteract the problem was an open dialogue, making use of the discussion platform provided by a free media. The situation in Sweden did not seem to be so serious as to warrant legal action that would interfere with such a fundamental right.

71. **Ms. Shin** asked whether the full development and advancement of women with disabilities was considered to be the responsibility of the Ministry of Integration and Gender Equality or of the Ministry of Health and Social Affairs. She also wished to know whether there were regular consultations with women with disabilities and whether Sweden was considering ratifying the Convention on the Rights of Persons with Disabilities.

72. **Mr. Hallerby** (Sweden) said that it was mainly the responsibility of the Ministry of Health and Social Affairs, which had regular contacts with different organizations for persons with disabilities. A specific ministerial group met from six to eight times a year and there were ongoing discussions and dialogue with NGOs, the Government and the people concerned. The

Ministry of Integration and Gender Equality was responsible for the Prohibition of Discrimination Act but all other issues involving persons with disabilities were dealt with by the Ministry of Health and Social Affairs. Ratification of the Convention on the Rights of Persons with Disabilities was currently under consideration.

73. **Ms. Schöpp-Schilling** asked again whether there were plans to introduce a provision for temporary special measures in accordance with article 4, paragraph 1, of the Convention. In the view of the Committee, Governments were obligated to pursue such measures and monitor their application in the private sector when there was evidence of structural discrimination and under-representation. She wondered whether such a provision would be included in the new law and whether the preamble of the law would refer to the Convention, as was the case in the European Union directives. She also asked whether incentives were being offered to the private sector to encourage them to make action plans for recruiting women on a voluntary basis.

74. **Mr. Hallerby** (Sweden) said that discussions were under way with Swedish enterprise organizations concerning measures, goals and other actions, but there were no concrete proposals as yet. Special efforts were made to set an example in that area in State-owned companies when appointing boards and in recruitment and other areas.

75. **Mr. Härneskog** (Sweden) said that employers could apply temporary special measures but they were not obliged to do so.

76. **Ms. Gaspard** asked for more information on the evaluation of the law that penalized the clients of prostitutes and allowed them to choose between paying a fine or attending a course. She wondered what choices the offenders had made.

77. **Ms. Halperin-Kaddari** asked for clarification of the conviction rate for rape. She had not received an answer to her question relating to gender-disaggregated statistics for convictions in relation to victims as well as perpetrators. She wondered whether the Government was about to take action on the new directive on that issue.

78. She asked whether the treatment programmes offered to the perpetrators of violence against women

would be mandatory or whether some incentive for attendance would be offered, such as shorter sentences.

79. **Mr. Hallerby** (Sweden) said that the Government was currently discussing incentives, which were certainly necessary, as the courses would serve no purpose if those attending did not cooperate.

80. **Mr. Flinterman** asked whether there had been any court decisions in Sweden that had referred to the Convention. As Sweden had chosen to incorporate the provisions of the Convention through a number of different laws, he wondered if the relationship to the Convention was clear and whether that would be the case in the new anti-discrimination law.

81. In connection with the law criminalizing the purchase of sexual services, he was concerned at the lack of comprehensive data and asked for information on the impact of clandestine prostitution.

82. **Mr. Hallerby** (Sweden) said that clandestine prostitution naturally existed in Sweden as it did in other countries. Some of it had moved to the Internet, some of it was using other channels but unfortunately no figures were yet available. He could not recall any court decisions that referred to the Convention.

83. **Mr. Härneskog** (Sweden) said that it was also rare for the courts to refer to European Union directives.

84. **Ms. Dairiam** noted that the Government did not intend to set up a gender equality agency. She wondered which Ministry or agency would be responsible for gender mainstreaming.

85. **Mr. Hallerby** (Sweden) said that there would not be a gender equality agency and other institutions and authorities would be responsible for mainstreaming efforts. The most significant initiative taken was for work with the municipal and county councils.

86. **Ms. Chutikul** repeated her question about the reissuance of the passport of the Swedish national accused of child abuse.

87. **The Chairperson**, speaking as a member of the Committee, asked if there was any follow-up at the national level of the recommendations of the Special Rapporteur on violence against women, and especially of the recommendation on access to safe housing.

Articles 7 to 9

88. **Ms. Neubauer** said that despite the achievement of gender balance in the national Parliament and the Government Cabinet, there were still shortcomings in public life that needed to be addressed. The proportion of women in Government below the level of Minister was not equal and women were also underrepresented among the heads of public agencies and in the judiciary. She would like to see more specific data in the next report on women in high positions, including the Supreme Court, public prosecutors, ambassadors and ministers plenipotentiary. She asked for information on the efforts being made to overcome women's underrepresentation in the judiciary.

89. It was clear that the minimum target of 40 per cent of management positions for women in the Ministry of Foreign Affairs and at missions abroad had not been achieved within the specified time frame. She asked how the measure to give special consideration in recruitment to members of the underrepresented gender in the Ministry of Foreign Affairs for 2005-2006 had been implemented and whether the Government had taken any additional measures to reach gender balance in the diplomatic service after that period.

90. The report referred to a recruitment target for professorships of at least 40 per cent women in all categories of personnel, yet only 16 per cent of senior lecturers in higher education were women. She asked what other proactive measures had been taken to challenge that imbalance in addition to the requirement for higher education institutions to submit reports to the Government on their progress. She asked what prevented women in Sweden from reaching top positions in public agencies, especially in higher education and in the judiciary, when the country was such an excellent role model in terms of women elected and appointed as Government ministers.

91. **Ms. Belmihoub-Zerdani** noted that Sweden was second only to Rwanda in the proportion of women parliamentarians. Yet at the local level there remained much to be done, as only 30 per cent of the members of municipal councils were women.

92. She asked if there were any Roma women in Parliament or women parliamentarians from immigrant families who had taken Swedish nationality. Lastly, she asked about the results of the survey of private enterprises in relation to quotas.

The meeting rose at 1 p.m.