

Situation report on discriminations against women in Sweden

August 2023

INTERNATIONAL AND REGIONAL INSTRUMENTS

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Optional Protocol

1980
CEDAW Ratified

2003
Optional protocol ratified

Council of Europe Convention on preventing and combating violence against women and domestic violence (known as Istanbul Convention)

2014
Ratified

Protocol to the African Convention on the Rights of Peoples (known as the Maputo Protocol)

Not Applicable

International Covenant on Civil and Political Rights

1971
Ratified

International Covenant on Economic, Social and Cultural Rights

1971
Ratified

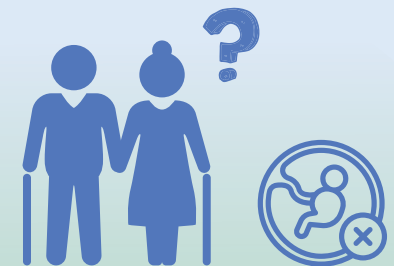
MAIN OBSTACLES TO GENDER EQUALITY DE JURE AND DE FACTO



A lack of intersectional approaches to Gender-Based Violence in terms of factors including age and racism.



The Gender-Based Violence form of "honour-related violence" and its classification thereof as a cultural issue.



A limited understanding of families, leading to discriminations of non-childbearing women and lesbian women who do not conceive their own child.

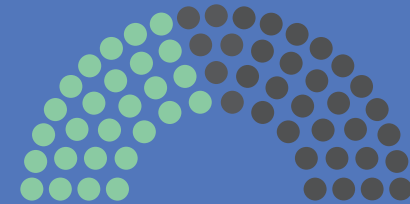
Recommendations

- **Civil and familial rights:** Change the current family laws to end discrimination of non-conventional families. So that non childbearing women, and lesbian women who do not conceive their own child can benefit from the legal status of being a mother.
- **Following through with gender-mainstreaming in law de jure and de facto:** Anti-discrimination and equality legislation should be regularly reviewed to ensure effective monitoring, investigation, reporting and enforcement, as well as educational trainings.
- **Legal frameworks:** Ensure the equal treatment of transgender people and non-binary people who do not fit into the current duality of legal genders affecting sexual and reproductive rights as well as civic rights by introducing a third legal gender.
- **Society and economics:** Promote economic participation among women, take action towards a less segregated job market with the aim for equal opportunities, job positions, and income.

Did you know?

46.10 %

Proportion of seats held by women in national parliaments



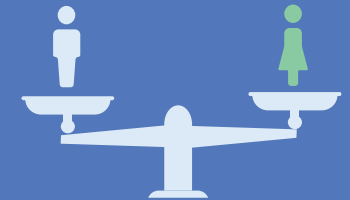
7.42 %

Gender pay gap (OECD only)



Equal rights

Inheritance rights for widows and daughters



61.65 %

Female labour force participation



Prevalence of gender violence in lifetime (% women)

28 %

Legislative framework

International conventions

Sweden ratified the International Covenant on Economic, Social and Cultural Rights (CECSR) as well as the International Covenant on Civil and Political Rights (CCPR) in 1971¹. Sweden ratified CEDAW in 1980² and the Optional Protocol in 2003³ without making any reservations. Sweden submitted their last report to the CEDAW Committee in June 2020. The report stated that Sweden has a leading role in gender equality, but there are still concerns regarding gender-based violence (GBV) towards women and girls⁴. Sweden ratified the Istanbul Convention in 2014. Sweden regularly reports to the Universal Periodic Review (UPR). Sweden ratified the Protocol of 2014 to the Forced Labour Convention, 1930 (PO29) in 2017⁵.

Constitutional equality

Sweden has laws on gender equality dating back to 1979⁶. The 1991 version of the law includes the provision that employers need to be active in driving gender equality in the workplace⁷. More so, discrimination between men and women in the workplace is forbidden, and sexual harassment is also prohibited by the law.

Civil and familial rights

Marriage law in Sweden is driven by principles of gender equality

and is gender-neutral, meaning that the same laws apply for same-sex couples. Divorce in Sweden is a relatively easy process, and it is the norm to have joint custody of children after the divorce.

In 1974, Sweden introduced a gender-neutral paid parental leave. Today, women and men together have the right to 480 days of paid parental leave. Ninety days are reserved for each parent and cannot be transferred⁸. In Sweden, families get child allowance for the children up to the age of 16 if both the parent (regardless of gender) and the child are insured in Sweden.

Inheritance law in Sweden establishes that the spouse of the deceased person, regardless of their gender, inherits everything if they were married. If partners were not married, the deceased's children will inherit equal shares of said person's property and assets⁹.

Political rights

Women have had the right to vote in elections in Sweden since 1921¹⁰. Gender balance has been present in the national parliament, and in the political parties. However, there is no legislated quota system in place.

Sexual and reproductive rights

Since 1975 abortion was legal in Sweden until week 18 of the pregnancy. Between week 12 and 18 abortion was only permitted after evaluation by a counsellor. Since 1996, the need for this evaluation has been abolished. In 2008, it was decided that non-

Swedish citizens also have a right to abortion, but in these cases the pregnant person or their country pays for the abortion¹¹.

Same-sex sexual relationships have been decriminalised in Sweden since 1944, and Discrimination Acts prohibit unequal treatment of LGBTQI+ persons in the workplace. However, only in 2013 was forced sterilisation of transgender people who wish to undergo sex reassignment surgery abolished¹².

In 2018, as a result of the Me-Too movement, Sweden implemented a new consent law classifying the absence of consent as rape¹³. This law made a significant difference in conviction rates in cases of rape from 190 convictions in 2017 to 333 in 2019 (an increase of 75 %)¹⁴.

Laws on gender-based violence/violence against women

In Sweden, the Social Services Act (abbreviated as SoL) has been in place since 1980¹⁵. There are general recommendations in the current law about economic aid for victims. The current law urges the social services to offer support, shelter and help to victims of violence. Municipalities are the main actor responsible for giving support to victims, and they work together with profit-driven and non-profit shelters¹⁶. However, in the current law municipalities have no obligation to provide placement.

In November 2022 the government recommended changes to the law, which will be implemented on 1 July 2023. The amendments to

the law places further responsibility on the social services to regulate shelters which will counteract the poor practise of private shelters, and it also places obligations on municipalities to offer protected housing for victims of violence. The updated law also defines all children as individuals who are entitled to their own rights, as well as protection of those rights¹⁷.

Economic and social rights

In 1962, Sweden adopted the International Labour Organisation (ILO) Equal Remuneration Convention, 1958 (No. 100) endorsing the principle of equal pay between men and women¹⁸. In 2009, Sweden adopted the Discrimination Act (2008:567) which prohibits employers, organisations, and education providers from treating people differently. Gender (recognised as the two legal genders man and woman in Sweden) and gender identity are two of the factors mentioned in the act¹⁹.

Vulnerable and/or marginalised populations

SoL 1980 has been reformed this year to include the term “particular vulnerabilities” (särskild sårbarhet) rather than “particular needs” (särskilda behov). This affects, for instance, people with disabilities, the LGBTQI+ population, women with a migration background, as well as sex workers who are women and women coping with addictions²⁰.

The Swedish government uses the term “violence in close relations” rather than “men’s violence against women”. Some have argued that

this removes attention from the fact that women and children are the most vulnerable groups²¹. Others believe that this term helps with achieving a more intersectional view of violence, understanding that violence also exists in same-sex relations, affecting men and non-binary persons as well.

In 2012, the National Board of Health and Welfare was assigned the task of training social workers on domestic violence that particularly affects vulnerable groups²².

De facto discrimination

Civil and familial rights

RFSL²³, a major organisation for LGBTQI+ rights in Sweden, has pointed out that the current family laws are discriminatory to non-conventional families²⁴. For example, they find it necessary to introduce a time limit for when a guardianship can be retracted since the current law risks discriminating against the parent that did not give birth to the child. Moreover, they believe that guardians who have not gained legal parental status should be given certain rights to have influence over children. This affects non childbearing women, and lesbian women who do not conceive their own child because they cannot benefit from the legal status of being a mother.

Political rights

In terms of political rights, there are no obvious de jure forms of gender-based discrimination in the Swedish system.

Sexual and reproductive rights

In Sweden, women have access to universal healthcare and the right to access contraceptive counselling for free. Youths can visit youth health care centres for free to get assistance with sexual and reproductive health. Young people under 18 do not pay for abortions, and abortions are carried out with confidentiality.

Sex education is part of the Swedish compulsory curriculum and since 2011 terms such as sexuality, relationships, gender, gender equality and norms have been introduced. There is, however, still room for improvement on intersectional education on sex which pays attention to LGBTQI+ identities and disabled persons.

There are discussions in parliament about introducing a third legal gender, however there is not one in place yet. LGBTQI+ organisations in Sweden have raised concerns for the unequal treatment of transgender people and non-binary people who do not fit into the current duality of legal genders affecting sexual and reproductive rights as well as civic rights.

Laws on gender-based violence/violence against women

Shelters cooperate with municipalities to collect statistics on the incidence of violence. Furthermore, the police share yearly statistics on reported incidents of violence in close relations. However, in a study of 2021 it was found that only four percent of the people who experience violence reported it to the police in Sweden²⁵.

The social services, like other authorities in Sweden, offer support for perpetrators of gender-based violence²⁶. Schools and the Swedish Migration Agency is also active in providing preventative education to boys, and men. The Swedish Prison and Probation Service have a program called Predov (Preventing Domestic Violence)²⁷. There is, however, a need for follow up on the effects and results of such programs.

One issue that has been noted with the recently elected government's (2022) approach to a prevalent form of GBV most often referred to as "honour-related violence" and its classification as simply a cultural issue. This leads to lack of intersectional understanding when evaluating violence on a case-by-case basis, and to authorities making harmful generalisations based on ethnic or cultural stereotypes.

Economic and social rights

The government has noted that there is lower economic participation among women in Sweden. In 2017, women between the ages 20-62 years were on average earning 76% of men's average wages²⁸. Furthermore, the job market remains gender segregated, and women often have lower-paying jobs than men including positions such as nurses, elementary school teachers, childcare workers, shop assistants, preschool teachers, assistants, cleaners, and secretaries²⁹.

Vulnerable and/or marginalised populations

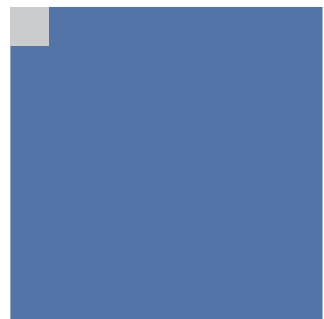
The framework for GBV prevention and reparations is arguably still limited in incorporating a more intersectional approach. Even though Swedish legislation is changing to include the term "particular vulnerabilities", the lack of overlapping laws makes it difficult to pay attention to all the variables affecting each person's unique experience of violence. The lack of intersectional knowledge among social workers, legal workers and security personnel is also an issue that adds to this challenge.

Recommendations

To the European Union, the United Nations or other international institutions:

On migration: Support projects aiming to fully implement article 60 no. 3 of the Istanbul convention concerning gender sensitivity in the protection of women with a migration background in Sweden in terms of procedures and support services.

On Gender-based Violence: Support programmes and projects to decrease Gender-based Violence against women and girls and ensure an intersectional approach. Coordinate European and international data collection regarding all forms of Violence against Women and Gender-based Violence.



Endnotes

- 1 United Nations, UN Treaty Database, Retrieved from: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/treaty.aspx?treaty=cescr&lang=en. Accessed on 1 December 2022.
- 2 United Nations, UN Treaty Database, Retrieved from: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/treaty.aspx?treaty=cescr&lang=en. Accessed on 1 December 2022.
- 3 United Nations, UN Treaty Database, Retrieved from: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/treaty.aspx?treaty=cescr&lang=en. Accessed on 1 December 2022.
- 4 OHCHR, Experts of the Committee on the Elimination of Discrimination against Women (...) multiple discrimination, 22 October 2021. Accessed at: [Experts of the Committee on the Elimination of Discrimination against Women commend Sweden's work on gender equality worldwide, ask about gender-based violence and multiple discrimination | OHCHR](#)
- 5 ILO, Normlex, Retrieved from: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEX-PUB:11300:0::NO::P11300_INSTRUMENT_ID:3174672. Accessed on 1 December 2022.
- 6 Sveriges Riksdag, Lag (1979:1118) om jämställdhet mellan kvinnor och män i arbetslivet. Accessed at: https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-19791118om-jamstallldhet-mellan-kvinnor_sfs-1979-1118.
- 7 Sveriges Riksdag, Jämställdhetslag (1991:433), Accessed at: https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/jamstallldhetslag-1991433_sfs-1991-433.
- 8 Försäkringskassan, "Föräldraförsäkringen och den nya föräldranormen", Accessed at: https://www.forsakringskassan.se/wps/wcm/connect/c451635e-1d21-41e9-b6f4-ba5abe4b1817/fk_publication_den_nya_foraldranormen_140925_3.pdf?MOD=AJPERES. N.d.
- 9 Regeringskansliet, Arvsrätt, 2015. Accessed at: <https://www.regeringen.se/regeringens-politik/familjeratt/arvsratt/>.
- 10 Riksarkivet, Om kvinnlig rösträtt i Sverige, n.d. Accessed at: <https://riksarkivet.se/om-kvinnlig-rostratt-i-sverige>.
- 11 RFSU, Aborträtten i Sverige – det säger lagen. N.d. Accessed at: <https://www.rfsu.se/vad-vi-gor/i-sverige/fragor-vi-jobbar-med/ratten-till-abort/abortratten-i-sverige/>.
- 12 Levande Historia, Homosexualitet blir lagligt i Sverige, n.d. Accessed at: <https://www.levandehistoria.se/hbtq/elise-ottesen-jensen-ottar-rattigheter-och-upplysning-kring-sexualitet>.
- 13 NCK, Samtyckeslagen har fått den effekt som eftersträvades, 10 July 2020. Accessed at: <https://www.nck.uu.se/kunskapsbanken/om-kunskapsbanken/kunskapsbankens-reportagearkiv/?tarContentId=887310>.
- 14 Brå, Den nya samtyckeslagen i praktiken, 2020. Accessed at: <https://bra.se/publikationer/arkiv/publikationer/2020-06-15-den-nya-samtyckeslagen-i-praktiken.html>
- 15 Sveriges Riksdag, Socialtjänstlag (1980:620). Accessed at: https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/socialtjanstlag-1980620_sfs-1980-620.
- 16 Ibid.

- 17 NCK, Barn i skyddat boende ska få bättre stöd och skydd, 23 September 2022. Accessed at: <https://www.nck.uu.se/kunskapsbanken/om-kunskapsbanken/kunskapsbankens-nyhetsarkiv/nyhetsvisningssida/?tarContentId=1027312>.
- 18 Sveriges Riksdag, Utredning om löneskillnader mellan kvinnor och män, n.d. Accessed at: https://www.riksdagen.se/sv/dokument-lagar/dokument/kommittedirektiv/utredning-om-loneskillnader-mellan-kvinnor-och-man_GFB161.
- 19 Sveriges Riksdag, Diskrimineringslag (2008:567), n.d. Accessed at: https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/diskrimineringslag-2008567_sfs-2008-567.
- 20 Uppsala University, Ämnesguider om särskild sårbarhet, 16 December 2022. Accessed at <https://www.nck.uu.se/kunskapsbanken/amnesguider/sarskild-sarbarhet/>
- 21 OHCHR, The Swedish Women's Lobby, Living Up to CEDAW– What Does Sweden Need to Do ? n.d. Accessible at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FNGO%2FSWE%2F22781&Lang=en
- 22 The Swedish Government, Tenth Periodic Report by the Government of Sweden on the measures in accordance with the Convention on the Elimination of All Forms of Discrimination against Women, 2020, Government Offices of Sweden. Accessible at: <https://www.government.se/contentassets/ebc1aadfe16d44a296e424a1ca2d204e/tenth-periodic-report-by-the-government-of-sweden-on-cedaw.pdf>
- 23 RFSL, n.d. Accessed at: <https://www.rfsl.se/>
- 24 Shakely, T., RFSL på QX Opinion: ”Bristen på skydd för regnbågsfamiljer är upprörande.”, in QX, 6 July 2022, Accessed at: <https://www.qx.se/samhalle/231015/rfsl-pa-qx-opinion-bristen-pa-skydd-for-regnbagsfamiljer-ar-upprorande/>
- 25 Brå, Våld i nära relationer, 26 October 2022, Accessed at: <https://bra.se/statistik/statistik-uti-fran-brottstyper/vald-i-nara-relationer.html>
- 26 Socialstyrelsen, Personer som utövar våld i nära relationer, 17 April 2019, Accessed at: <https://www.socialstyrelsen.se/kunskapsstod-och-regler/omraden/vald-och-brott/vald-i-nara-relationer/valdsutovare/>
- 27 Regeringskansliet, Nationellt våldsförebyggande program, 2 June 2022, Accessed at: https://jamstalldhetsmyndigheten.se/media/ykznur3u/nationellt-v%C3%A5ldsf%C3%B6rebyggande-program_webb.pdf
- 28 Sveriges Riksdag, En kommission för jämställda livsinkomster, 2020. Accessed at: https://riksdagen.se/sv/dokument-lagar/dokument/kommittedirektiv/en-kommission-for-jamstallda-livsinkomster_H8B122#Det%20finns%20skillnader%20i%20arbetskraftsdeltagande%20mellan%20kvinnor%20och%20m%C3%A4n
- 29 SCB, 20 vanligaste yrkena för kvinnor, 19 March 2022, Accessed at: <https://www.scb.se/hitta-statistik/statistik-efter-amne/arbetsmarknad/sysselsattning-forvarvsarbete-och-arbetstider/yrkesregistret-med-yrkesstatistik/pong/tabell-och-diagram/20-vanligaste-yrkena-for-kvinnor/>