

DELIVERING PUBLIC SERVICES TO A DIVERSE SOCIETY: International Reviews

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International Reviews: Introduction

These international reviews were undertaken to provide information about governmental structures and initiatives on equality and diversity outside the United Kingdom. In this paper, we are focusing on a different diversity strand in four countries. The countries reviewed and the area of focus are:

| Country | Strand(s) |
|-----------------|-----------------------------------|
| Australia | Gender and age |
| Canada | Integrated human rights programme |
| The Netherlands | Sexual orientation |
| Sweden | Gender |

Our work was carried out by document review, including written literature and web-based information. For the Netherlands, native language as well as English sources were used. The analytic framework used to guide the information gathering for the international reviews is presented in the Annex to this volume.

Australia

Introduction

- 1.1 This section describes some of the Australian Government's initiatives to diversify the delivery of services to meet the needs associated with gender and age. In particular, we focus on institutions, strategies and particular initiatives to meet the needs of female and elderly Australians. We describe the attention devoted to women and the elderly in the context of other diversity strands that are foci of attention in Australia. In some cases the combination of ethnicity and gender and/or age are associated with specific needs for certain services.

Diversity in the delivery of Government services

- 1.2 The annual report on Government services is compiled by the Steering Committee for the Review of Government Service Provision. This provides an authoritative statement of the way in which diversity of service delivery is addressed by Australian public sector service providers, and the strands of diversity that receive most attention. The Review was initiated by the Prime Minister, Premiers and Chief Ministers in 1993, and has since then operated under the auspices of the Council of Australian Governments. The Steering Committee consists of senior representatives from the national, State and Territory governments, and is chaired by the Chairman of the Productivity Commission, the principal advisory body on microeconomic reform. The annual reports, of which the 2004 report is the ninth edition, are major studies, covering services that absorb around 60 % of government recurrent expenditure.
- 1.3 Although the term "diversity in service delivery", now familiar in the UK public sector, is not commonly used in Australia, the concept is inherent in recent Reviews by the Steering Committee. The 2004 Review addresses this point most explicitly in its discussion of the concept of equity.¹ Alongside efficiency and effectiveness, equity is identified as a main performance dimension for evaluating government services. Prior to the 2004 Review, equity was treated as a sub-dimension of effectiveness. However, the Committee now acknowledges that there is an important distinction between the two. Effectiveness indicators are generally absolute measures of performance, while equity measures relate to the gap between service delivery outputs and outcomes for groups with specific needs. In its discussion of equity, the Committee refers to two elements in economic literature: horizontal equity, referring to the equal treatment of equals; and vertical equity, the unequal, but equitable, treatment of unequals. Horizontal equity can be achieved by making sure services are available to all

¹ Steering Committee for the Review of Government Service Provision. Report on Government Services 2004. Canberra: Productivity Commission, 2004. - via <http://www.pc.gov.au/gsp/reports/rogs/2004/index.html>. Accessed: 1 March 2004.

members of the community. Ensuring that vertical equity is achieved requires making sure that the specific needs of certain groups in the community are taken into account when delivering services to them.

Policy attention for gender and elderly

1.4 Recent Reviews of Government Service Provision describe the set of diversity strands that receive most attention in Australia. The Reviews identify six diversity strands – that differ in important respects from the six we address in our study of the UK – associated with different needs in relation to government services:

- Language or literacy proficiency.
- Gender.
- Age.
- Physical or mental capacity.
- Race or ethnicity.
- Geographic location.

1.5 Particular attention has been devoted to meeting the needs of Indigenous Australians. In 2002, the Council of Australian Governments commissioned the Steering Committee to report on the provision of government services to Indigenous Australians. After a period of consultation that preceded the research, the report was released in November 2003.² Given the challenge of overcoming Indigenous disadvantage, initiatives to meet the needs of women and the elderly often face an extra challenge when the women and/or elderly clients are Indigenous Australians.

Organisational structure

1.6 In the following paragraphs we describe the main organisations involved in service delivery regarding women's needs and elderly.

1.7 The Commonwealth Office of the Status of Women (OSW) is a high-level policy advisory unit located in the Department of the Prime Minister and Cabinet. Established in 1975, the OSW's role is to advise the Prime Minister on policy issues affecting women in Australia. The OSW also supports the Minister assisting the Prime Minister for the Status of Women, who is also the Minister for Family and Community Services.

1.8 The OSW states that its work is directed towards the mainstreaming of women's issues, such that government policies, services and initiatives are evaluated for the benefits

² Steering Committee for the Review of Government Service Provision. *Overcoming Indigenous Disadvantage: Key Indicators 2003*, Productivity Commission. Canberra, 2003 - via: <http://www.pc.gov.au/gsp/reports/indegiou/keyindicators2003/index.html>. Accessed: 1 March 2004.

they will provide to women, their impact on women and their accessibility by women. Box M contains the main elements of the OSW's strategy document. The relevance of diversity in service delivery is particularly evident in the "key objectives". For example, when discussing the objective of economic development and security, the OSW emphasises the importance of developing a strategy for women on savings to ensure adequate retirement incomes. Further, the OSW promotes the use of gender equity benchmarks and performance indicators in the development of relevant policies and programmes throughout the Commonwealth Government.

Box A: Strategy of the Australian Commonwealth Office of the Status of Women

| | |
|-------------------------|---|
| Vision | Equality for women in every aspect of their lives and respect for and value of the choices, contributions and diversity of women. |
| Mission | To be the respected authority and leader in policy and service development for women. |
| Goals | <ol style="list-style-type: none"> 1. Economic self-sufficiency and security for women throughout their lives. 2. Optimal status and position for women. 3. Elimination of violence in the lives of women. 4. Maintenance of optimal health and wellbeing throughout women's lives. |
| Key objectives include: | <p>Regarding goal 1: ○ Maximise the opportunities for women's economic development and security over the life cycle.</p> <p style="padding-left: 20px;">○ Identify and address the issues that impact adversely on women's economic security.</p> <p>Regarding goal 2: ○ Optimise the status of Australian women in all walks of life.</p> <p style="padding-left: 20px;">○ Encourage women to assume leadership positions in critical numbers.</p> <p>Regarding goal 3: ○ Position Australia as an international leader in reducing violence against women.</p> <p>Regarding goal 4: ○ Respect and value women's needs and diversity at all stages of the life cycle.</p> <p style="padding-left: 20px;">○ Enhance the Government's commitment to gender mainstreaming to ensure women's wellbeing is routinely considered in developing relevant policy directions.</p> |

Source: Commonwealth Office of the Status of Women. Working for Women. Office of the Status of Women Strategic Directions 2001-2003. Commonwealth of Australia, 2001.

1.9 In pursuit of these objectives, the OSW reports that it works in partnership with governments, organisations, communities and individuals. Some of these activities are directed towards support for women's groups, to enable them to communicate the diverse needs of women to government. For example, the OSW publishes an annual booklet, *Australian Women Working Together*, summarising the activities of 92 of Australia's national women's Non-Governmental Organisations (NGOs). The OSW also provides financial support to four National Secretariats that are charged with collaborating with women's organisations and representing their views to government. The annual Ministerial Conference on the Status of Women is organised by the OSW. The conference is attended by Commonwealth, State and Territory Ministers and the Minister for Women's Affairs from New Zealand. It aims to provide a Commonwealth/State mechanism for the coordination and development of policies

that affect the status of women, particularly on issues that cross Commonwealth/State, Territory and the Australia/New Zealand borders.

- 1.10 Tailoring government services so that they meet the needs of ageing Australians has received a substantial amount of attention, evident in government structures, and the formulation of strategies and services for older Australians. There is, for example, a Department of Health and Ageing. The Minister for Health and Ageing is a member of the Cabinet and holds overall policy responsibility for all issues pertaining to health and ageing. Also at the head of the Department of Health and Ageing is the Minister for Ageing, whose administrative responsibilities include the National Strategy for an Ageing Australia and a range of programmes designed to meet the needs of an ageing population.
- 1.11 The *National Strategy for an Ageing Australia* was developed by the Office for an Ageing Australia within the Department of Health and Ageing. The National Strategy identifies a set of principles, goals and actions that should guide the policy responses of governments, businesses, community organisations and individuals. For example, when discussing the implications of an ageing population for the workforce, the National Strategy sets the goal of the removal of barriers to the participation of mature workers. Actions required to meet this goal include increasing opportunities for continued training and professional development and removing incentives for early retirement. The National Strategy was formulated after extensive consultations between Commonwealth, State and Territory Governments and community organisations. Released in 2002, there are plans to review progress every three years.³
- 1.12 The National Strategy has been followed by a number of initiatives to continue the development of Australia's response to an ageing population. The National Advisory Committee on Ageing was established in 2002 to advise the Minister for Ageing. The Committee's terms of reference are to provide the federal government with a forum to consult on ageing issues and to identify ways of responding to future challenges in this area. Its 14 members include senior academics, businesspeople and representatives of community organisations.⁴
- 1.13 At the time of writing, the Age Discrimination Bill 2003 was before the federal parliament. The proposed legislation will outlaw direct and indirect age discrimination in key areas of public life, including employment, education, access to goods and services and the administration of Commonwealth laws and programmes. Each state and territory also has legislation that prohibits age discrimination. The federal

³ National Strategy for an Ageing Australia. Commonwealth of Australia, 2002 - via: <http://www.ageing.health.gov.au/foa/documents/pdf/nsaabook.pdf>. Accessed: 1 March 2004.

⁴ <http://www.ageing.health.gov.au/foa/agepolicy/pars2.htm>. Accessed: 1 March 2004.

legislation will introduce a nation-wide complaint handling procedure, and also includes provisions for public awareness and education campaigns.⁵

Diversity in service delivery: Government services tailored to women's needs

1.14 There are numerous examples of initiatives that tailor services to meet the diverse needs of women. Many of these illustrate the ways in which the gender strand of diversity combines with other strands, such as age, geographic location and ethnicity, to create different needs for services.

1.15 The following three initiatives were selected as examples of the ways in which a range of services are tailored to meet diverse women's needs:

- The Higher Education Equity Programme.
- The Equal Opportunity for Women in the Workplace Agency.
- Preventing violence against women.

See Box B for a description of the initiatives.

⁵ <http://www.ag.gov.au/www/civiljusticeHome.nsf/>. Accessed: 1 March 2004.

Box B: Three examples of government services tailored to women's needs

The Higher Education Equity Programme (HEEP)

The HEEP administered by the Department of Education, Science and Training, provides funds to promote equity objectives in higher education as an integral part of institutional planning and provision. It has existed in roughly its present form since 1990. The annual budget, which will be approximately £4.15 million from 2005, is given to publicly funded higher education institutions to allow them to implement strategies aimed at increasing the participation of students from disadvantaged groups. One of the six equity groups for which these funds are intended consists of women, especially women in non-traditional areas of study (agriculture, architecture, business and economics, engineering and natural science); the other five groups are similar to those referred to above in the report of the Steering Committee for the Review of Government Service Provision.

A recent review of the HEEP and the appropriateness of its six equity groups concluded that substantial progress had been made in terms of women's participation in many areas of employment and education. In traditionally male-dominated fields of study, such as law, business and medicine, women's participation rates have increased markedly. Nevertheless, the review recommended that women continue to be included as an equity group because of lower participation rates in engineering and information technology. Further, the review expressed concern about the low levels of male participation in areas such as education and nursing. It therefore recommended that men in these fields of study be considered an equity group in the HEEP.

The Equal Opportunity for Women in the Workplace Agency (EOWA)

The EOWA is a statutory authority within the portfolio of the Department of Employment and Workplace Relations. EOWA administers the Equal Opportunity for Women in the Workplace Act (1999) and assists organisations in achieving equal opportunities for women. The Act requires private sector companies and other non-governmental organizations with more than 100 employees to establish workplace programme aimed at removing barriers to women entering and advancing in their organisations. Organisations that must comply with the Act report annually to the EOWA - a total of 2,644 organisations in 2002. EOWA assists organisations by providing guidelines and workshops. Each industry has its own EOWA client manager who assesses all reports within that industry and provides individual feedback. EOWA also promotes good practice by organising Business Achievement Awards and by featuring case studies. These case studies illustrate and emphasise the business case for equal opportunities for women.

Preventing violence against Women

The OSW manages the National Indigenous Family Violence Grants Programme, as part of the Partnerships Against Domestic Violence Initiative. This Programme provides approximately £2.5 million over four years (1999-2003) to help Indigenous communities take action to reduce family violence. By 2003 some 70 initiatives had been funded. The projects use a variety of approaches to build communities' capacities to respond to family violence and to strengthen their relationships with key agencies. The grant to the Burringurrah Community Aboriginal Corporation illustrates the grass roots approach adopted by the OSW in managing this programme. This initiative aims to assist members of their community in social and vocational development, land management and the maintenance of traditional culture. The aim of the project is to train and assist community members to develop grass roots solutions to community issues, particularly family violence. The project will:

- Establish a community resource centre that will be a reference point for services, and train staff to assist in education and awareness campaigns.
- Assist the community to establish and implement local strategies to address the psychological damage suffered by children who witness violence, and the effects of drug and alcohol abuse.
- Train 'Aunties' in counselling and mediation to provide immediate safety for children.

*Sources: <http://www.dest.gov.au/highered/programmes/heep.htm>. Accessed: 1 March 2004; James, R., Baldwin, G., Coates, H., Krause, K.L., and McLinnis C. *Analysis of Equity Groups in Higher Education, 1991-2002*. Australian Government: Department of Education, Science and Training, 2004; <http://www.eowa.gov.au/>. Accessed: 5 March 2004; <http://www.padv.dpmc.gov.au/IFV/ifvvp.html>. Accessed: 5 April 2004.*

Diversity in service delivery for older Australians

1.16 Part of the responsibilities of the Department of Health and Ageing is to ensure that older Australians are aware of the government services available to them. The Internet site <http://www.seniors.gov.au>, managed by the Department of Health and Ageing, is a portal designed to assist customers search for information on services and policies of interest to older Australians. It covers services delivered by the Department of Health and Ageing and other government departments and agencies. The Department of

Health and Ageing also releases a directory each year that provides a comprehensive guide to services for older people⁶. The following examples serve as illustrations of initiatives that tailor services to meet the needs of (groups of) older Australians:

- IT training for older workers.
- Aged Care Assessment Teams.
- Aged care services for Indigenous people.

These services are described in Box C.

Box C: Three examples of government services tailored to older Australians

IT training for older workers

A range of services assist older people in finding employment and developing the skills required to participate in the labour market. One example is the Basic IT Enabling Skills (BITES) for Older Workers Programme. Managed by the Department of Education, Science and Training, this programme was announced in the 2002-2003 Budget. It aims to provide free IT training to up to 46,000 individuals. To be eligible for the training, candidates must be 45 years of age or older, in receipt of income support and have not post-secondary school IT qualification. On completion of the training, students receive a nationally recognised Statement of Attainment. The training is provided by Recognised Training Organisations that also advertise their services within their localities.

Aged Care Assessment Teams

Aged Care Assessment Teams visit elderly clients in their own homes to provide individual advice concerning their health and care needs. They advise clients on the government services that are available to them. The services clients are offered are tailored to their specific needs, and may range from home help to residential care. The teams are local, and usually based at a hospital, geriatric centre or community centre; the teams include health care and community services professionals.

Individuals usually contact an Assessment Team via their doctor. The teams are mainly funded by the federal government and managed by state and territory governments.

Aged care services for Indigenous people

The needs of Indigenous Australians from rural areas differ from those of the non-Indigenous population. The strict conditions under which mainstream residential care facilities operate do not meet the needs of Indigenous Australians. There is a need for more flexible forms of care that allow elderly Indigenous people to remain in their communities. These different needs are recognised in the National Aboriginal and Torres Strait Islander Aged Care Strategy of 1994. This strategy was formulated after a series of consultations with Indigenous communities and aged care services. Within the strategy, care services are organised using a flexible model that mixes residential and community care. There are currently 33 approved care services using this flexible model to provide 637 aged care places.

Sources: <http://www.bites.dest.gov.au/>. Accessed: 5 April 2004;
<http://www.ageing.health.gov.au/acat/assess.htm>. Accessed: 5 April 2004;
<http://www.ageing.health.gov.au/specneed/atsiinfo.htm>. Accessed: 5 April 2004.

⁶ Department of Health and Ageing. Australian Government Directory of Services for older people 2003-04. Australian Government, 2003 - via: <http://seniors.gov.au/downloads/directory0304.pdf>. Accessed: 1 March 2004.

Canada

Introduction

- 2.1 Canada is a federation, consisting of 10 provinces and three territories. Although responsibilities are divided between central government and the provincial governments, Canada's governmental system is highly centralised. The federal government is responsible for matters that concern Canada as a whole, such as inter-provincial and international trade, criminal law, the banking and monetary systems, and the fisheries. Areas deemed of little importance in the 19th century (health, education, welfare) were assigned to the provinces at the time. Nowadays, the distribution of responsibilities on federal level versus regional level is subject to greater debate. Watts (2000)⁷ argues that this diversity in Canadian politics is also illustrated by “the strength of regionalism, by the fundamental duality between French-speaking majority in Quebec and the English-speaking majorities in the other nine provinces, by the policies of bilingualism and multiculturalism...” Perhaps more than in any other federation, the original distribution of powers in Canada attempted to achieve independence from interference between different government levels by assigning virtually all jurisdiction either exclusively to the federal government or to the provinces. In practice, responsibilities overlap, requiring various forms of intergovernmental consultation and collaboration, reflected in a number of councils and committees of officials, ministers and first ministers.
- 2.2 Here we provide insight in Canada's national attention to diversity in service delivery by placing the concept in an historical perspective and subsequently discussing the legal context and organisational structure of multi-cultural diversity policy in Canada. Finally, several initiatives reflecting the country's approach towards cultural and ethnical diversity are discussed.

National policy regarding diversity in service delivery

- 2.3 To appreciate Canada's efforts in building diversity into service delivery, it is necessary to understand the country's demographic situation. Canada's population is 31.4 million and it currently receives more immigrants annually per capita than any other country in the world. Since the 1950s, average annual immigration was approximately 125,000, while since 1990, on average it has been more than 200,000 annually. People with British or French backgrounds still form the largest ethnic groups in Canada, but their relative numbers have declined. In 1871, four years after Canada's

⁷ Watts, R.L. Federalism and Diversity in Canada, *Autonomy and Ethnicity*. In: *Negotiating Competing Claims in Multi-Ethnic States*, ed. by Y. Ghai, Cambridge Studies in Law and Society, Cambridge, 2000: 29-52.

Confederation, the population census was 3.5 million; 2.1 million of these were of British origin, whereas 1.1 million had a French origin. The 1996 Census showed that 42% of Canada's people reported origins other than British, French, Canadian, or Aboriginal. Currently, 25% of the Canadian population lives in Quebec, of which 80% is francophone. Aboriginals comprise the second largest cultural minority of over 1 million people, representing 3% of the population. The term 'Aboriginal peoples' currently encompasses four groups: (1) 250-300 Indian bands living on their reserves; (2) Indians living off the reserves; (3) Métis, descended from the intermarriage of early French fur traders and Indians; (4) the Inuit.

- 2.4 Due to the massive numbers of immigrants, Canada is faced with a challenge to develop social cohesion and a national Canadian identity among a culturally and ethnically diverse population. Additionally, Canada has a history colonial settlement and displacement and discrimination suffered by aboriginal peoples. Thirdly, the distinction between English- and French-speaking Canada has been key to Canada's political and cultural history. Jenson et al. (2001)⁸ pointed out that, living in an immigrant society, implanted in the territories of indigenous peoples, and with a national minority whose presence predates the political hegemony of the English-speaking majority, Canadians have had to struggle finding a political expression of respect for diversity. The path towards current policy attention for multiculturalism has not been one without controversies.

Policy attention for multiculturalism

- 2.5 As in many other nations consisting of colonist settlements, policies prior to World War II had an assimilationist character, targeting at unity and a homogeneous national identity. More recently Canada's policies have shifted more towards accommodating difference and respecting diversity. This strategy for building Canadian citizenship rested on a notion of rights and responsibilities that recognises individuals' right to maintain an identity defined in terms of their ethno-cultural and national minority origins, if they choose to do so. Although this perception has been questioned in international context and by the human rights movement, today, Canada systematically embraced diversity by entrenching it in its laws, policies and institutions, which is unique in the world.
- 2.6 Since the foundation of its confederation in 1867 Canada's society was characterised as 'assimilationist' in the sense that the dominant majority of British settlers forced minorities, such as aboriginals and immigrants, to discard their own cultural values

⁸ Jenson, J. et al. Building Citizenship: Governance and Service Provision in Canada. CPRN Discussion Paper No F|17, 2001.

and adopt the cultural framework of the majority.⁹ Various policies towards minorities reflected this British-centric character of the Canadian political community. Immigrants were expected not only to become citizens, but also over time to shed their distinctive heritage and become virtually indistinguishable from the native-born British majority. Therefore, potential newcomers who were not considered to be competent of achieving such “Anglo-conformity” were denied access. Racially selective immigration regulations favoured white Europeans while excluding so-called visible minorities such as Asians and Africans.

- 2.7 World War II had caused Canada to shift its attitude towards ethnic minorities substantially towards official multiculturalism. The war had generated patriotism and solidarity to the national identity, which went across lines of race, class, gender or religion. Moreover, with the declaration of the Human rights in post-war 1948 the human rights revolution had spawned towards principles of equal citizenship and non-discrimination within states and principles of the equal right of all peoples to self-determination. The Canadian Bill of Rights was introduced in 1960, making Canada the first federal state to forbid discrimination on the grounds of race, national origin, colour, religion or sex, and specified the fundamental freedoms of Canadians.
- 2.8 As a result of the increased criticism on racially selective immigration regulations, the federal government introduced a new Immigration Act in 1967, acknowledging the ideology set out by the Bill of Rights and putting an end to the Anglo-conformity as an objective. Consequently, non-white and non-Christian immigrants started flocking to Canada and now dominate Canada’s immigration. For their newly gained dominant position in Canadian society, representatives of these various neither English nor French-speaking communities began referring to themselves collectively as "The Third Force" or more recently "allophone".¹⁰
- 2.9 The status of the French-speaking proportion of Canadian society was subject to similar developments in the light of the post-war rhetoric of human rights. Changes include attempts to reduce discrimination. Moreover, established in 1963, the Royal Commission on Bilingualism and Biculturalism introduced the equality of French and English as official languages at the federal level in the Official Languages Act of 1969. All public services provided by the federal government are available in both languages from east to west coast. This policy intended to promote viability of francophone minorities outside Quebec, and make it easier for ‘Québécois’ to participate in the federal decision-making and governmental bodies.

⁹ Claus, E. Multiculturalism in Canada. Notes for an Address, Conference on Multiculturalism, Abidjan, Ivory Coast, October 22, 1998.

¹⁰ Council of Europe. Transversal study: Cultural Policy and Cultural Diversity - Canada. National Report prepared by G. Baeker. ACP: Cultural Action Research, 2000.

2.10 In response to the growing perception that in the debate over Canadian Franco vs. Anglo-duality the interests of other cultures were being ignored, federal policies on multiculturalism emerged in the 1970s. While immigrants have integrated into mainstream society, the ‘melting pot’ approach encouraged by the United States has not been followed in Canada. In October 1971, the Federal government of the day announced an official “policy of multiculturalism within a bilingual framework” which encouraged ethnic groups to preserve their cultures. The prevailing perception in this period was that ethnic pluralism could help to overcome or prevent the homogenisation and depersonalisation of mass society. To achieve the ends stated in the 1971 policy, the government created a Multiculturalism Directorate in 1972. Its purpose was:

- Offering support for ethnic groups and immigrant organisations.
- Stimulating research on the use of non-official languages and histories of ethnic groups.
- Monitoring the multicultural activities of federal cultural agencies.

2.11 In the early 1980s Canada's attitude towards diversity changed fundamentally in the direction of a broadened and sharpened diversity policy. With the introduction of the Canadian Constitution Act (1982), and the Charter of Rights and Freedoms, constitutional protection was provided to certain fundamental human rights for equal protection and equal benefit of the law. The late 1980s saw the passage of the Canadian Multiculturalism Act, an act for the preservation and enhancement of multiculturalism in Canada. Finally, in 1991 Canada established a Department of Multiculturalism and Citizenship. An overview of legislation related to multi-cultural diversity in Canada is displayed in Box D.

Box D. Legislation related to multi-cultural diversity in Canada

| Year | Act |
|-------------|---|
| 1947 | Passage of the first Canadian Citizenship Act |
| 1960 | Passage of the Canadian Bill of Rights |
| 1963 | Establishment of the Royal Commission on Bilingualism and Biculturalism |
| 1969 | Book IV of the Bilingualism and Biculturalism Commission Report emphasises the bilingual and multicultural nature of Canada |
| 1969 | Introduction of the Official Languages Act |
| 1971 | Introduction of Canada's Multiculturalism Policy |
| 1977 | Passage of the Canadian Human Rights Act |
| 1982 | Adoption of the Canadian Charter of Rights and Freedoms |
| 1984 | Special Parliamentary Committee Report, Equality Now, calls for a multiculturalism act and establishment of a national research institute on multiculturalism and race relations issues |
| 1986 | Passage of the Employment Equity Act |
| 1988 | Passage of the Canadian Multiculturalism Act |
| 1996 | Government establishes the Canadian Race Relations Foundation through passage of the Canadian Race Relations Foundation Act |
| 1997 | Renewed Multiculturalism Program announced |

Sources: *Canadian Heritage, 2004* - via: http://www.canadianheritage.gc.ca/progs/multi/policy/framework_e.cfm. Accessed: 20 April 2004; <http://laws.justice.gc.ca/en/h-6/30599.html>. Accessed: 20 April 2004; *Treasury Board of Canada Secretariat. Attitudes Towards the Use of Both Official Languages Within the Public Service of Canada - Executive Report, 2002; Public Service Commission of Canada - Research Directorate. Overview of Recent Public Service Reforms in Canada, Great Britain, Australia, New Zealand and the United-States. Canada, 2000* - via: http://www.psc-cfp.gc.ca/research/world_ps/5. Accessed: 20 April 2004.

- 2.12 The Multiculturalist Policy of 1971 is in fact a component of a series of constitutional and statute laws, regulations and practices that address various facets of diversity in Canadian society. The new Act, which passed in 1988, took many of these into account in its recognition that multiculturalism could not function in isolation from a much larger framework of policy and legislation.
- 2.13 In 1977 the Human Rights Act was installed in Canada. The purpose of this Act is to extend the laws in Canada to give effect, within the limits of the legislative authority of Parliament, to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted.
- 2.14 The Official Languages Act requires the federal government to provide services to the public in English and French at all head offices and wherever there is significant demand for such services or where the nature of the office warrants. Approximately 25% of all federal offices must provide services in both English and French. Public servants have the right to work in their preferred official language in regions that are designated for this purpose (parts of Northern and Eastern Ontario, the National Capital Region, Montreal, parts of the Eastern Townships, Gaspé and Western Quebec, the province of New Brunswick). In these regions, their employer is required to create a favourable environment for the use of both official languages at work, including: supervision in the employee's language, work instruments in the language of choice, and central and personal services in the employee's language. Outside these regions, the language of work is French in other parts of Quebec, and English in Atlantic Canada, the remaining parts of Ontario and Western Canada. In unilingual regions, employees are supervised in the regional language of work, and receive central and personal services in that language. They may have access to work instruments in their preferred language if they need them to provide service to the public. The Act also commits the federal government to foster the recognition and use of both languages in society and ensures that English-speaking and French-speaking Canadians have equal access to employment and promotion in federal institutions.

The linguistic composition of the federal workforce should reflect the presence of both communities in the population.

- 2.15 The Charter of Rights and Freedoms added recognition of Aboriginal rights to the Canadian. With this Charter every individual has become “equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability”.
- 2.16 The Employment Equity Act provides the legislative imperative for employment equity programmes in the public service. The purpose of the Act is “to achieve equality in the workplace so that no person shall be denied employment opportunities or benefits for reasons unrelated to ability and [...] to correct the conditions of disadvantage in employment experienced by women, aboriginal peoples, persons with disabilities and members of visible minorities by giving effect to the principle that employment equity means more than treating persons in the same way but also requires special measures and the accommodation of differences”. The act obliges employers of 100 or more employees to monitor representation of women, members of visible minorities, aboriginal peoples, and persons with disabilities, and make statistical report available to the public and establish goal for improving representation. The revised Act gives the Commission responsibility to audit how well employers are doing.

Organisational structure

- 2.17 Canada's evolving approach to diversity was marked by the establishment of a department of Multiculturalism and Citizenship (1991). For the first time, multiculturalism became the direct responsibility of a Cabinet portfolio, rather than a sector of another ministry. However, in June 1993 the department was incorporated into the new Department of Canadian Heritage (DoCH), while the position of Secretary of State for Multiculturalism was maintained; who is now responsible for implementing the provisions of the Act from within DoCH. Tasks and responsibilities of diversity policy are divided between the Multiculturalism and Human Rights Branch and the Aboriginal Affairs Branch.¹¹
- 2.18 The mission of the Human Rights Program at the DoCH is to promote the development, understanding, respect for and enjoyment of human rights in Canada. To accomplish this, the program undertakes educational and promotional activities involving the public, educators, non-governmental organisations, government departments and others. This includes providing a selected number of grants and contributions to

¹¹http://www.canadianheritage.gc.ca/progs/pdp-hrp/index_e.cfm;
http://www.canadianheritage.gc.ca/progs/multi/program/guide/program_e.cfm;
http://www.canadianheritage.gc.ca/pc-ch/subjects-subjects/cit-ident/autoch-aborig/index_e.cfm. All accessed: 21 April 2004.

eligible organisations and distributing human rights publications upon request. The program is also responsible for coordinating, with provincial and territorial governments, the domestic implementation of international human rights instruments and the preparation of Canada's reports to the United Nations.

2.19 The Multiculturalism Program at the DoCH focuses on initiatives to achieve the following Program objectives:

- Participation of ethno-racial minorities in public decision-making.
- Public awareness, understanding and informed public dialogue about multiculturalism, racism and cultural diversity in Canada.
- Improvement of the ability of public institutions to respond to ethnic, religious and cultural diversity by assisting in the identification and removal of barriers to equitable access and by supporting the involvement of these communities in public decision-making processes.
- Development of inclusive policies, programs, and practices within federal departments and agencies to meet obligations under the Canadian Multiculturalism Act.

2.20 The Aboriginal Affairs Branch at the DoCH supports an Aboriginal infrastructure at national, regional and community levels, for Indian (status and non-status), Métis and Inuit people who are for the most part, not resident on reserves in Canada, to facilitate their participation in resolving issues that affect the quality of their lives. In December 2002 the government announced creation of a new Aboriginal Languages and Cultures Centre (ALCC). The Centre will be a shared-governance entity operating as a not-for-profit corporation, composed predominantly of Aboriginal individuals. The ALCC is expected to be operational by 2005. Additionally, a Task Force on Aboriginal Languages and Cultures will be established, which will examine and make recommendations on the operations, programming and objectives of the ALCC to the Minister of Canadian Heritage in 2004.

2.21 At regional level all provinces and several municipal governments have adopted some form of multiculturalism policy. The provinces Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Nova Scotia have enacted multiculturalism legislation, while in Saskatchewan, Manitoba, Ontario and Quebec multiculturalism is implemented by an advisory council that reports to the Minister responsible for the Act.¹² In Nova Scotia, the Act is implemented by both a Cabinet Committee on multiculturalism and advisory councils. Saskatchewan was the first province to adopt legislation on multiculturalism in 1974 and. The Act defines multiculturalism as the right of

¹² Leman, M. Canadian Multiculturalism. Political and Social Affairs Division. 93-6E, 1999 via: www.parl.gc.ca/information/library/PRBpubs/s/936-e.htm#D.%20Provincial. Accessed: 3 May 2004.

different communities to preserve their distinct cultures and to share them with others. The Act established a Multicultural Council whose duties were to advise the Minister on multicultural issues; to evaluate government programs on multiculturalism; to liaise with government departments with multicultural responsibilities; and to promote programs to preserve and promote multiculturalism in the province.

2.22 Canada has one of the world's most developed National Human Rights Commissions (NHRCs), support by an extensive system of provincial human rights commissions and has been influential in the establishment and empowerment of NHRCs worldwide¹³. The Canadian Human Rights Commission (CHRC) administers both the Canadian Human Rights Act and the Employment Equity Act, and ensures that the principles of equal opportunity and non-discrimination are followed in all areas of federal jurisdiction. The Commission composed of up to two full-time and up to six part-time commissioners, meets regularly to decide on individual complaints and approve Commission policies. The Commission's mandate is threefold:

- To process individual complaints.
- To promote human rights and principles of equality.
- To assist in reducing barriers to equality, especially in education and access to social services.

2.23 Partly reflecting the human rights abuses prevalent in Canada, the Commission focuses on fostering equal opportunities and combating discrimination in areas such as the rights of aboriginal peoples and disability claims, as well as issue related to employment, race, religion and sex discrimination. Compared to NHRCs in the rest of the world, Canada's Commission is unique since it has worked cross-regionally to a much greater extent, and it has placed senior officers in a foreign NHRC. The CHRC has its head office in Ottawa and regional offices in Halifax, Montreal, Toronto, Winnipeg, Edmonton and Vancouver.

2.24 The Treasury Board manages the government's financial, personnel, and administrative responsibilities. Considered the general manager and employer of the public service, it sets policy in these areas, examines and approves the proposed spending plans of government departments, and reviews the development of approved programs. For example, The Official Languages Branch is responsible for "overseeing that federal institutions serve Canadians in the official language of their choice, create and maintain a work environment conducive to the effective use of both official languages, and provide equal employment and advancement opportunities to English-speaking and French-speaking Canadians within the Public Service". Driven by the

¹³ Cardenas, S. Transgovernmental Activism: Canada's Role in Promoting National Human Rights Commissions. *Human Rights Quarterly*, 2003; Vol. 25: 775-790.

government's commitment to eliminating all forms of discrimination and to fairness and equity in the federal public service, the Treasury Board established the Task Force on the Participation of Visible Minorities in the Federal Public Service. This Task Force developed an Action Plan to transform the public service into an institution that reflects all Canada's citizens and attracts them to its service to play a part in shaping the Canada of tomorrow. This Action Plan included a government-wide benchmark for the participation of visible minorities in the public service.

2.25 The Canadian Race Relations Foundation has been established in 1996 further to the Race Relations Foundation Act. Its mandate is to build national framework for the fight against racism in Canadian society by means of research, initiatives, and 'Awards of Excellence programmes' in order to eliminate all forms of racism.

Diversity in service delivery: Canadian Multiculturalist Policy

2.26 With its multiculturalism Canada has taken a unique perspective on diversity with regard to ethnicity, race and culture. Through the Multiculturalism Program, which supports implementation of the multiculturalism Act, various programmes and policies have been introduced. The examples discussed in this section are clustered along four themes:

- Employment targets.
- Monitoring tools.
- Financing multiculturalism.
- Language.

2.27 These themes are neither exhaustive nor mutually exclusive, but are used to illustrate the various possible perspectives of the Canadian diversity policy (see Box E).

Box E: Examples of the Canadian Multiculturalist Policy

Employment targets

The Canadian government has undertaken several initiatives to better deal with equity and diversity in its federal public service. Examples include:

- The Task Force on the Participation of Visible Minorities in the Federal Public Service (April 1999).
- The Task Force on the Integration of Employees with Disabilities through Information and Communications Technologies (June 1999).
- The Task Force on An Inclusive Public Service (December 1998).

The Task Force on the Participation of Visible Minorities in the Federal Public Service believes that a benchmark of 1 in 5 is achievable for recruitment into the public service as a whole. However, because the federal public service makes appointments into senior levels overwhelmingly by internal promotion, recruitment does not address the acute under-representation at senior levels. The 1 in 5 benchmark is applied, therefore, over a longer period of five years to acting appointments and to entry into executive feeder groups and executive levels. The latter is being tackled by a combination of external recruitment and internal training and promotion.

Monitoring tools

The Department of Justice has developed a screening tool for assessing the impact of its activities on diverse groups. The Integrated Diversity and Equality Screen (IDEAS) provides, according to the Department, “a way to assess the impact policy initiatives could have on groups that frequently experience disadvantage in their dealings with the justice system, whether as parties to proceedings, as witnesses, as victims or as members of the public.”

The IDEAS toolkit contains statistical profiles which offer a snapshot of ten different groups within the population. Users of the toolkit are advised that the profiles offer only a starting point, which can be supplemented by community consultations, public inquiries, and other information sources.

While the screening instrument was originally devised for policy analysis within the justice system at all levels of government, its potential application is wider. There has been an effort to promote the use of the tool among legislative drafters, legal council (prosecution and civil litigation) and departmental decision-makers generally; and also to promote its use in other government departments. The Heritage department has also adopted and modified the tool for use within the department. In an attempt to guarantee that the IDEAS guidelines were used in the work of the Justice system, the Federal, Territorial and Provincial Deputy Ministers of Justice have said that any proposals that they consider must be able to indicate that a diversity assessment has been carried out.

Funding Multiculturalism Tailoring services to Aboriginal people

In addition to visible minorities, many of whom are new immigrants to Canada, Department of Cultural Heritage also focuses specifically on the population of Aboriginal people in Canada, who have historically been targets of prejudice and discrimination. The Aboriginal Affairs Branch at the Canadian Heritage supports an Aboriginal infrastructure at national, regional and community levels to facilitate their participation in resolving issues that affect the quality of their lives. Not-for-profit and aboriginal representative organisations can apply for several programmes providing funds to achieve this objective:

- The Aboriginal Friendship Centre Program supports self-determined activities which encourage equal access to, and participation in Canadian society; and which respect and strengthen the increasing emphasis on Aboriginal cultural distinctiveness.
- The Aboriginal Representative Organizations Program maintains a consultative framework of Inuit, Métis and Non-Status Indian representative organisations through which governments can address the social, economic, political and cultural issues affecting the lives of Canada's Aboriginal peoples.
- Aboriginal Women's Program enables Aboriginal Women to address annually violence-related issues in a culturally appropriate manner, and to participate fully and equitably in the decision-making process related to Aboriginal self-government issues.
- Northern Native Broadcast Access Program provides funding and assistance for the production and distribution of Aboriginal radio and television programming in Aboriginal Languages addressing Aboriginal culture, community issues, concerns and current affairs.
- Urban Multipurpose Aboriginal Youth Centre (UMAYC) Initiative is set up to create a network of youth centres providing accessible, culturally relevant and supportive services to urban Aboriginal youth, and will facilitate their participation in existing programs in order to improve their economic, social and personal prospects.
- Young Canada Works offers students culturally relevant summer jobs and internships (e.g. in a museum or National Park). One of the four job programmes YCW support is related to Aboriginal Urban Youth.

Language

Following the equal status of population from French and British origin, Canada has committed to a nationwide bilingual policy. According to Official Languages Act (1985) the public should be able to communicate with, and receive services from, federal institutions in both English and French:

- Where there is a need for services in those languages.
- From head offices of federal institutions.
- From all offices in the National Capital Region.
- Where the type of work done by an office makes it necessary (e.g. for health, safety and security).

This implies that not English and French are only both used in federal institutions and employees can work in either language in certain designated regions, but also all members of parliament may use either English or French and laws are enacted bilingual. English-speaking and French-speaking Canadians should have equal opportunities for employment regardless of first language learned. This should also be reflected in the participation to the workforce of federal institutions.

The bilingual policy is reflected in the Official Languages Support Programs at the Canadian Heritage, which provides several services to the public to promote bilingualism and equality of French and English groups:

- A website, which provides tools and strategies to organisations who wish to offer services in the two official languages. It illustrates the good practices and draws upon experience of other organisations, which have participated in the Co-operation with the Voluntary Sector Program of the Official Languages Support Programs Branch.
- A program designed to assist organisations in offering translation and simultaneous interpretation services during important public meetings or translation of documents of interest to members of the organisation and to the general public.
- A program designed to assist organisations in acquiring the capability to offer or to improve their services in both official languages.

The Aboriginal Programs Directorate of the Canadian Heritage has also implemented several programs aimed at the preservation, development and revitalisation of Aboriginal languages:

- The Aboriginal Languages Initiative maintains and revitalises Aboriginal languages for future generations by increasing the number of Aboriginal language speakers, by encouraging the cross-generational transmission of these languages, and by supporting language use in family and community settings.
- The Canada/Territorial Co-operation Agreements for Aboriginal Languages particularly aims at maintaining the Aboriginal languages of the Yukon, Northwest Territories and Nunavut territories by promoting use in homes, in schools and communities.
- A Task Force on Aboriginal Languages and Cultures has been established, and a new Aboriginal Languages and Cultures Centre (ALCC) has been created. The Centre will be a shared-governance entity operating as a not-for-profit corporation, staffed predominantly by individuals from aboriginal origin. The Task Force will examine operations, programming and objectives of the ALCC and make recommendations to the Minister of Canadian Heritage in 2004. The ALCC is expected to be operational by 2005, according to the Canadian Heritage (2004).

*Sources: Treasury Board of Canada Secretariat. Embracing Change in the Federal Public Service - Task Force on the Participation of Visible Minorities in the Federal Public Service, 2000 - via: http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/TB_852/ecfps1_e.asp. Accessed: 21 April 2004; Department of Justice Canada. Integrated Diversity and Equality Analysis Screen, 2003 - via: <http://canada.justice.gc.ca/en/dept/pub/ideas>. Accessed: 21 April 2004; Department of Cultural Heritage, 2004 - via: http://www.canadianheritage.gc.ca/progs/multi/program/national_e.cfm. Accessed: 15 April 2004; Moreau, J. Employment equity. *Canadian Social Trends*, 1991; 22: 26-28; http://www.canadianheritage.gc.ca/pc-ch/subjects-subjects/cit-ident/autoch-aborig/index_e.cfm. Accessed: 20 April 2004; Canadian Heritage. Task Force on Aboriginal Languages and Cultures, 2004 - via: http://www.pch.gc.ca/progs/pa-app/lang-cult_e.cfm. Accessed: 4 May 2004.*

2.28 Canada is a country of diversity. In addition to Aboriginal people and the founding British and French groups, there are a wide variety of ethnic groups represented in the Canadian population. The last three decades Canada has committed to maintaining diversity as part of its collective identity through multiculturalism. Through extensive programmes, available funds and tailored service delivery, ethnic minorities are encouraged to preserve a distinctive cultural values. Although Canadians take pride in their presumed tolerance of diversity and their absence of prejudice toward ethnic minorities¹⁴, there is a concern that the multiculturalism policy encourages diversity at the expense of unity. Critics have been saying that multiculturalism is divisive because it emphasises what is different, rather than the values that are Canadian.

¹⁴ Reitz, J.G. and Breton, R. *The Illusion of Difference: Realities of Ethnicity in Canada and the United States*. Toronto: C.D. Howe Institute, 1994.

Canadian culture and symbols, it is felt, are being discarded in the effort to accommodate other cultures. Canada has made the explicit decision to accept this.

The Netherlands

Introduction

3.1 This section focuses on diversity in the Netherlands, and more particular on the diversity strand ‘sexual orientation’. In this section we use the terms homosexuality, gay and lesbian as synonyms for sexual orientation. The section is structured as follows: First, we describe some background information about the situation in the Netherlands, especially its general diversity policy. Secondly, we present some population characteristics. Thirdly, we will discuss various implemented and proposed national and local policies towards sexual orientation in the Netherlands.

General policy regarding diversity in service delivery

3.2 Diversity policy is policy that focuses on diversity between people. However, diversity also deals with similarities between people. In diversity policy, the central issue is the policy subject and not particularly the focus group.

3.3 In the Netherlands diversity is handled by the General Equal Treatment Act (Algemene Wet Gelijke Behandeling – AWGB), which came into force in September 1994. It prohibits discrimination on grounds of an individual’s religion, belief, political opinion, race, nationality, sex, heterosexual or homosexual orientation or civil status in the fields of employment, housing, medical care and access to goods and services. One clause of this act concerns religious institutions (enkele feit-constructie), which are allowed to make demands of staff regarding their principles of religion. However, these institutions are not allowed to make distinctions on the basis of sexual orientation alone. A special committee (Commissie Gelijke Behandeling) evaluates, also on request, whether discrimination exists on the basis of the AWGB.¹⁵

3.4 The basis of the AWGB is Article 1 of the Dutch Constitution, which focuses on non-discrimination: “All those who live in the Netherlands, are treated equally in equal cases. Discrimination on the basis of religion, belief, political opinion, race, sex or other social status, is not allowed”.¹⁶

3.5 In addition, European guidelines are of importance to diversity. For example, for several years guidelines have been adopted on the European level considering gender equality towards employment. Article 13 of the Treaty of Amsterdam focuses on the elimination of discrimination in general. In 1999, this Article came into force, containing binding legislation in specific areas (e.g. equal payment to men and women

¹⁵ Eerste Kamer der Staten Generaal. Algemene Wet Gelijke Behandeling. Vergaderjaar 1994. Den Haag: Sdu Uitgevers, 1994.

¹⁶ http://www.lbr.nl/wetgeving/rechtenwet/wet_art1gw.html. Accessed: 5 January 2004.

having the same professional function), whilst in other areas it may decide to leave more discretion to the individual Member States. Article 13 sets no time limits for its implementation. Nonetheless, the first steps of implementation were agreed upon in 1999:

- A directive on employment discrimination forbidding unequal treatment in the workplace based on racial or ethnic origin, religion or belief, age, disability or sexual orientation (Guideline 2000/78/EG).
- A directive forbidding discrimination in employment, education, social security, sport and access to goods and services. This will apply only to discrimination based on an individual’s racial or ethnic origin (Guideline 2000/43/EG).¹⁷

3.6 The first directive, the “Employment Framework Directive” should have been implemented in the EU by 2 December 2003 with regard to religion and sexual orientation. For handicap and age, this period lasts longer - until 2006. However, of the current 15 EU member states, only Belgium, Denmark and Sweden meet the minimum standards of implementation. Others – Ireland, the UK and the Netherlands – cover a considerable scope of the directive but would still need to enact some amendments in order to fully comply. All others either transposed the directive insufficiently or have not yet adopted or even tabled any legislation at all. The second directive mentioned should have been implemented by 19 July 2003. However, in the Netherlands this is postponed until 2004.

3.7 Regarding the implementation of the European guidelines 2000/43/EG and 2000/78/EG, the AWGB needed to be adapted. In October 2003, the AWGB and related laws were adapted (i.e. a new Article about prohibition of intimidation is included). Diversity strands age and handicap are not included in the AWGB. Therefore, a separate law regarding age and employment (Wet gelijke behandeling op grond van leeftijd bij de arbeid) came into force in 2003.¹⁸ A separate law regarding equal treatment of people with a handicap/chronic disease came also into force during 2003. Both laws will be integrated in the AWGB. Box F shows the proposed areas of protection of the (adapted) AWGB.

Box F: Proposed diversity strands of the (adapted) AWGB

| Ground | Sex | Race | Handicap | Age | Sexual orientation | Religion | Political orientation | Nationality | Social status |
|------------|-----|------|----------|-----|--------------------|----------|-----------------------|-------------|---------------|
| Employment | • | • | • | • | • | • | • | • | • |

¹⁷ The European Region of the International Lesbian and Gay Association. After Amsterdam: Sexual orientation and the European Union. A guide. Brussels: ILGA-Europe, 1999.

¹⁸ Eerste Kamer der Staten Generaal. Wet Gelijke Behandeling op grond van Leeftijd bij de Arbeid. Vergaderjaar 2003-2004. Nr. 28170. Den Haag: Sdu Uitgevers, 2003.

| | | | | | | | |
|------------------------------|---|---|---|---|---|---|---|
| Medical care | • | • | • | • | • | • | • |
| Social protection | | • | | | | | |
| Social advantages | | • | | | | | |
| Education | • | • | • | • | • | • | • |
| Access to goods and services | • | • | • | • | • | • | • |

Source: Ruijgrok, W. *E-Quality en de implementatie van artikel 13 EG verdrag* - via www.hom emancipatie.nl. Accessed: 5 January 2004.

Policy attention for homosexuality

3.8 The total population in the Netherlands has increased from 15.4 million inhabitants in 1995 to 16.2 million inhabitants in 2003. In 1995, about 61,000 men and 79,000 women of 55 years and older were homosexual. We lack information about the total number of homosexuals during the years 1995-2002, but it is reasonable to expect that the number of people publicly expressing their sexual orientation has probably increased during these years (also due to measures described below).

3.9 One indication is the number of same-sex registered partnership and marriages. The actual number of (same-sex) partnership registrations and new (same-sex) marriages during the years 1998-2002 are shown in Box G.

Box G: (Same-sex) partnership registrations & (same-sex) marriages (1998-2002)

| Year | Partnership 2 women | Partnership 2 men | Partnership man & women | Marriage 2 women | Marriage 2 men | Marriage man & women |
|------|------------------------|----------------------|----------------------------|---------------------|-------------------|-------------------------|
| 1998 | 1324 | 1686 | | | | |
| 1999 | 864 | 897 | | | | |
| 2000 | 785 | 815 | | | | |
| 2001 | 245 | 285 | 2847 | 1075 | 1339 | 79677 |
| 2002 | 382 | 358 | 7581 | 903 | 935 | 83970 |

Source: Centraal Bureau voor de Statistiek. *De Nederlandse Economie 2002. Voorburg/Heerlen: Centraal Bureau voor de Statistiek -Facilitair Bedrijf, 2003.*

3.10 Partnership registration of two men or two women (also between a man and a woman) is possible in the Netherlands since 1998 (Partner Registration Act). The registered partnership has the same legal status as a marriage. Since 2001, partners with the same sex may marry. This might explain the decrease of the number of same-sex partnership registrations in 2001.

- 3.11 The most important piece of Community legislation for lesbians and gay men is Article 13 of the Treaty of Amsterdam, which came into force in 1999. This was the first time that any express reference to discrimination on grounds other than sex or nationality has appeared in Community legislation. Sexual orientation is not mentioned in any of the provisions of the European Convention on Human Rights. Nonetheless, it has increasingly developed as a source of protection for lesbians, gay men and bisexuals¹⁹.
- 3.12 The rights of homosexuals differ enormously per Member State. In 2000, the position of gays and lesbians and their partners was discussed in the Council of Europe. The discussion led to advice to include 'sexual orientation' in the national discrimination policies. However, not all Member States and accession countries have fulfilled this requirement (Euro gay Scoreboard via <http://www.homo-emancipatie.nl>). In some Member States discrimination of homosexuals still appears in laws and regulation. Often this concerns asylum, general accession and immigration. Compared to other countries, the Netherlands is far ahead in establishing equal rights for people with a different sexual orientation.
- 3.13 Although homosexuality is not explicitly mentioned in the Dutch Constitution, Article 1 protects lesbians and gays. Sexual orientation is mentioned in some laws: In 1992, criminal protection against discrimination on grounds of homosexuality came into force, as well as discrimination of gays and lesbians by a civil servant (Article 429 of the Penal Code (Burgerlijk Wetboek)). In 1999, the AWGB came into force, which includes the diversity strand 'homosexual orientation' (please note that this term is different from 'sexual orientation'). Interest groups in the Netherlands requested to change the term in the AWGB, which has not (yet) happened because it does not have any juridical implications.
- 3.14 Specific national policies concerning sexual orientation were set up in the end of the eighties. In 1988 the first White Paper regarding lesbians and gay men was published (Overheidsbeleid en Homosexualiteit). Thereafter, progress reports of the implementation of this policy followed in 1991 and 1993. In 2000, diversity strands within sexual orientation - elderly, adolescents, education and ethnic groups - were described in a separate policy paper. In 2001, an integrated progress report (Paars over Roze) was published, including proposed policy measures for the coming four years (2001-2005).²⁰

¹⁹ The European Region of the International Lesbian and Gay Association. Equality for Lesbians and Gay men: A relevant issue in the EU-Accession process. Brussels: ILGA-Europe, 2001.

²⁰ Tweede Kamer der Staten Generaal. Homo-emancipatiebeleid. Vergaderjaar 2000-2001. Nr. 27017 Nr. 2. Den Haag: Sdu Uitgevers, 2001.

Diversity in service delivery: Dutch policies towards sexual orientation in the Netherlands

3.15 The aim of a specific national policy focusing on sexual orientation (so called homo-beleid or homo-emancipatiebeleid) is “achieving a situation in which people, independent of their sexual orientation, can equally participate in society”. This approach can be divided into:

- Juridical equality, of which the possibility to marry and to adopt a child are two examples.
- Refugees and asylum policy.
- Adolescents and education.
- Employment.
- Health care and prevention.
- Diversity strands with sexual orientation.

Box H described what has been achieved so far regarding these issues.

Box H: Implemented policies towards sexual orientation during the years 1999-2001

Law and regulations

Since 1 January 1998, lesbian or gay parents are allowed to share custody with their same sex partners. Under the Law of Succession, the child under shared parental authority is seen as a legal child of the co-parent, giving him or her maintenance obligations for the child, and legal authority. In addition, it is possible to change the name of the child. For this purpose, the legal mother or father and his/her partner have to ask a judge to grant shared parental authority. Since 1998 adoption has also been open to lesbian and gay couples, with adoption being confined to Dutch children. Since 2003, adoption of a foreign child is possible for partners of the same sex. The legal position (succession law, fiscal law, pensions) of homosexual partners is similar to heterosexual partners. The only two differences concern inheritance of the children and international recognition of the social status.

Refugees and asylum policy

Under Dutch law homosexuals can be recognised as refugees on “urgent humanitarian” grounds. A refugee is “someone who, from a legitimate fear of persecution on account of race, religion, nationality, belonging to a particular social group or his political convictions, find himself exiled from the country of which he is a national, and either cannot call on the protection of that country or will not, because of these fears” (Article 1 (A) section 2 of the Geneva Convention via <http://www.vluchtelingenwerk.nl>).

Sexual orientation is included in the term ‘social group’ of this Article. In the Dutch Refugee Council's mission, the notion of protection is the key element. Homosexual persons will receive the status of refugee when:

- People are heavily punished on the grounds of their sexual orientation in the country of origin.
- The person is discriminated on the basis of sexual orientation in the country of origin (when a person is punished harder on the ground of his sexual orientation compared to a heterosexual person or when he has a well-founded fear of being persecuted or runs the risk of becoming the victim of torture, inhuman treatment or punishment on the grounds of his sexual orientation).

The regular asylum procedure concerns for example people who come to the Netherlands for educational purposes, working careers and family reunification. Refugees have the right to family reunion. As soon as a refugee has received a residence permit, he has three months available to apply for family reunion. When the three-month period has elapsed, refugees must meet income criteria in order to get permission to invite their relatives to come over. They must then prove that they earn enough money to support the family. Homosexual partners are exempt from the obligation to meet the income criteria when they are disabled to work or when they are 57.5 years or older.

Adolescents and education

In July 2000, employers and employees of youth service delivery systems developed a 'behavioural code' to prohibit discrimination (also on the grounds of sexual orientation). Results of recent studies show that many adolescents, mainly those with an ethnic background, encounter homosexuality as a problem. In this respect, often actions are undertaken, which focus on education and training to stimulate positive attitudes towards homosexuality (Empowerment Lifestyle Services). One example is a campaign "Safe School", which was funded by the Ministry of Education, Culture and Science. As part of this campaign an obligation to report complaints regarding sexual intimidation was initiated in 1998. Another example is the installation of a special interest group by the trade union focusing on all homosexual employees of schools (Homogroep Onderwijsbond CNV).

Employment

Although results from past research show that homosexual persons have a different work-satisfaction and a higher rate of sick leave, the Ministry of Social Affairs has no specific policy regarding sexual orientation. However, the Ministry of Social Affairs developed specific policies for different sectors. For example, the Ministry funded a project, which resulted in a guide to implement diversity policies in companies (Diversiteitsgids). In 1994, the Law on Work Circumstances (Arbowet, Artikel 4, lid 2) obliges the employer to implement a policy to protect their employees against sexual intimidation, aggression and violence.

Health care and prevention

Gay men with frequently different sexual activities are at high-risk to sexual transmitted diseases. Therefore, specific attention is paid to this group in prevention programmes. For this purpose educational material is developed and implemented. In addition, specific attention is paid to persons with different ethnic backgrounds (brochures in different languages, anonymous telephone helpdesks in different languages). In 2000, political questions were asked about in vitro fertilisation (IVF) and artificial insemination of lesbians. Although some hospitals refuse IVF and artificial insemination to lesbians (which is discrimination on the basis of the AWGB), this provision has been offered in several hospitals in the Netherlands.

Diversity strands within sexual orientation

In 2000, a policy paper was published, which described the state of the art of the relationship between sexual orientation and elderly, education and ethnic adolescents. These activities have been mainly described above. However, the position of the elderly is not yet described. It appeared that the psychological health and financial position of gay and lesbian elderly is less compared to that of heterosexual elderly. Also, isolation occurred more often in homosexual elderly. This implies constraints for social integration. To improve this situation the Ministry of Health, Welfare and Sport stimulates access to welfare and health care services by funding a network (Platform Homoseksuele en Lesbische Ouderen), coordinated by the Federation of Dutch Societies aimed to integrate homosexuality in the Netherlands.

Sources: The European Region of the International Lesbian and Gay Association. Equality for Lesbians and Gay Men: A relevant issue in the civil and social dialogue. Brussels: ILGA-Europe, 1998; Tweede Kamer der Staten Generaal. Homo-emancipatiebeleid. Vergaderjaar 2000-2001. Nr. 27017 Nr. 2. Den Haag: Sdu Uitgevers, 2001.

3.16 From the above it appears that several policy measures regarding sexual orientation are proposed and implemented on a national level in the Netherlands. Local policy is also of great importance to a citizen. In the Netherlands, the Sexual Orientation Knowledge Centre (Kenniscentrum lesbisch en homo-emancipatiebeleid) focuses mainly on the regional and local policy level (<http://www.homo-emancipatie.nl>).

3.17 In 2003, the Centre carried out a survey on diversity policies of all municipalities in the Netherlands (486). It showed that only 11 municipalities have a specific policy focused on homosexuals, containing a substantial budget. For most municipalities and provinces, policies regarding sexual orientation are handled in general policies with regard to social participation and minorities (13 municipalities). It appeared that 10% of the municipalities have some sort of policy towards sexual orientation (compared

with 60% which have specific policies oriented towards adolescents and elderly), covering about 27% of the total Dutch population.

- 3.18 The municipalities with a specific policy towards sexual orientation are mainly the larger cities in the western part of the Netherlands (Amsterdam, Rotterdam, Utrecht), although Nijmegen (which is in the eastern part of the Netherlands) appeared to be the municipality which offers most services to homosexuals.
- 3.19 The most commonly experienced problems in relation to sexual orientation are: services for elderly, adolescents and persons with an ethnic background, education and social security. However, most municipalities responded that they are not aware of problems in relation to sexual orientation.
- 3.20 Municipalities often do not use the available specific policy instruments (personnel, advisory committees, discussion platforms). It appeared that information services, brochures and expertise is often lacking.
- 3.21 Specific policies are often related to social welfare services. Another service is related to homosexual marriage. The results of the survey showed that less than half of the municipalities (45.5%) have a policy in which civil servants are obliged to officiate at same sex weddings. In addition, only 33% adapted the form for marriages. Policies of municipalities are often focused on supporting the policies of local interest groups and to fund specific projects in the area of emancipation
- 3.22 Overall, although there is some attention is paid to the diversity strand on local level, most municipalities have the opinion that emancipation of homosexuals is not yet fulfilled (34%).

Diversity in service delivery: Proposed policies towards sexual orientation in the Netherlands

- 3.23 Starting points of the proposed national policy are:
- Sexual orientation is part of diversity policy regarding equality and of specific policy focusing on homosexuality.
 - Specific policy focusing on ‘sexual orientation’ (homo-emancipatie beleid) will be developed when needed.
 - Vulnerable groups are adolescents, elderly and care-dependent persons.
 - Attention should be paid to (increasing) intolerance regarding homosexuality.
- 3.24 These starting points are ‘translated’ into several proposed measures by the Interdepartmental Working Group National Policy and Homosexuality (Interdepartementale Werkgroep Overheidsbeleid en Homoseksualiteit - (IWOH), which consist of representatives of relevant departments of the Ministries of Social

Affairs, Internal Affairs, Justice, External Affairs, Defence, Education, Culture and Science, Housing and Environment, General Affairs. The Ministry of Health, Welfare and Sport chairs this Working Group), after consultation of several relevant actors. The State Secretary of the Ministry of Health coordinates the policy and is responsible for implementing the proposed measures.

3.25 The proposed measures are divided into:

- Research measures.
- Diversity policy measures.
- Expertise measures.
- Specific policy measures focusing on sexual orientation.
- International measures.

Specific initiatives are listed in Box I.

Box I: Proposed policy measures towards sexual orientation during the years 2001-2005

Research

A prerequisite for developing specific policy towards sexual orientation is information about: (changing) attitudes of the general public towards homosexuality, social participation of homosexuals compared to heterosexuals, needs of homosexuals etc. The Ministry of Health proposes research in the field of homosexuality and population screening (financed by a study fund), determinants of (psychological) health status of homosexuals (financed by a study fund), (psychosocial) development of children, whose parents are homosexual (financed by the Ministry of Health: 55.000 Euro per phase), the impact of educational material (to change behaviour of adolescents) (financed by IWOH – 35.000 Euros) and regarding (homosexual) victims of the WOII (financed by the Ministry of Finance and Health: 1.6 million Euros).

Diversity policy

The AWGB and Article 13 of the Treaty of Amsterdam provide the grounds to develop specific policies toward homosexuals in relation to other diversity strands. The Cabinet favours to integrate policy measures of different departments to achieve diversity policy, although every department will maintain responsible for the specific policies. This implies that the Ministries of Health, Welfare and Sport, Education, Culture and Science, Internal Affairs, Social Affairs and Justice will collaborate in this respect. Since diversity policy is focused on several interest groups, no figures about its budget were presented.

Diversity policy focusing on education

The Ministry of Education, Culture and Science will develop and implement measures towards sexual orientation as part of its policy regarding security policy at schools. More specific the measures will focus on preventing discrimination of homosexuals. Specific organisations will be held responsible for this task (Transferpunt Jongeren, School en Veiligheid/Algemeen Pedagogisch Studiecentrum, Platform Veiligheid en Geweld). From 2003, schools will be stimulated to include policies on sexual orientation into their annual report. In addition, Educational Inspectors (onderwijsinspecteurs) will be introduced to stimulate and maintain these specific policies.

Diversity policy focusing on employment

Based on former research, the Ministry of Social Affairs will develop and disseminate (new) educational material about social relationships at work. The Ministry of Social Affairs already disseminated different brochures –for employers and employees- about equal treatment of persons in recruitment procedures. In addition, the Ministry of Internal Affairs developed a diversity strategy for social relationships at work. Specific recommendations regarding the diversity strand ‘sexual orientation’ for the coming year(s) are:

- The Police needs to develop specific policies regarding homosexuality and they need to report about it in their annual reports.

- The subject homosexuality should be included in the training programme of the Police.
- Educate persons involved in human resource management, social workers etc. about important aspects of homosexuality.
- All persons are equal – take away constraints for gay and lesbians to perform their tasks within the police organisation (Policy Plan “Pink in Blue” (*Roze in Blauw*)).

The Ministry of Internal Affairs also set up a central expertise centre focusing on diversity, which should stimulate and facilitate the Police in implementing diversity policy. The policy will receive 2.5 million Euros (2000-2002) to maintain and recruit persons from minority groups, including homosexuals.

The Ministry of Defence performs an active policy towards the integration and acceptance of homosexuals in the Army. There are few countries in the world, which accept homosexuals in the army. All professionals involved in providing services in the army receive a special course about sexual orientations. In this respect, an institute of confidential agents (Instituut Vertrouwenspersonen) was set up. A free telephone helpdesk has been initiated to report discrimination and violence within the army as well. Since 1987, the Ministry of Defence funds a Foundation Homosexuality and Defence (Stichting Homosexualiteit en Krijgsmacht), which develops and disseminates information about homosexuality and related aspects (25,000 Euro per year).

Diversity policy focusing on health care and prevention

The Ministry of Health, Welfare and Sport provides funds to a intermediary research organisation (ZorgOnderzoek Nederland), which administers a specific research programme (1.8 million Euros for the years 2001-2004) regarding sexual health care delivery, including specific health services for homosexual persons (seksualiteits-hulpverlening). In addition, specific research trials with this form of health care will be set up by the research organization NISSO (Nederlands Instituut voor Sociaal Sexuologisch Onderzoek). NISSO receives a yearly budget (about 1 million Euros) from the Ministry of Health.

Research

According to the Ministry of Health, Welfare and Sport expertise in the field of homosexuality needs to be concentrated and enforced. An organisation focusing on providing information about specific care for homosexuals is the *Schorerstichting*. To facilitate the need for information in other areas as well, the Ministry of Health provided funding for a Sexual Orientation Knowledge Centre (Kenniscentrum Homo- en lesbisch emancipatiebeleid - Budget: 140,000 Euros per year). This Centre was set up in 2002 and focuses mainly on regional and local policy institutes (municipalities and provinces, see below). Two fulltime persons run the expert centre, which has mainly an educational and provisional task. In addition, the Ministry funds several projects of organizations dealing with homosexual-related issues. An organization, which collects documentation and provides an information service to the general public, is IHLIA (Internationaal Homo/Lesbisch centrum en archief). IHLIA is funded by the Ministries of Health, Welfare and Sport (35,000 Euro per year) and of Education, Culture and Science (45,000 Euro per year (2001-2004). A specific Internet portal will be made available via the website of IHLIA. This portal is especially aimed for those people, who have not much experience with homosexuality, e.g. adolescents who have difficulties with their coming out, parents of homosexuals, ethnic groups, partners of homosexuals etc. In addition, the Internet portal is also aimed at homosexuals, providing them with general and specific information (e.g. about marriage, pensions etc.), websites etc. For the implementation of the Internet portal, the Ministry of Health provided funding (150,000 Euros until 2002).

Specific policy on sexual orientation

Volunteer organizations

The Ministry of Health will provide small funds (12,500 Euros per year) to several specific organisations, which provide information, training programmes etc. about homosexuality.

Ethnic groups

From past research it appeared that the attitudes of ethnic groups towards homosexuality are not as tolerant as those of Dutch citizens. To improve this situation, different groups (e.g. Muslims) initiated projects (conferences, meetings, etc.) to stimulate a debate about norms and values. In addition, the Ministry of Health, Welfare and Sport subsidises an Islamic organisation (Yoesuf – budget of 150,000 Euros until 2003). Yoesuf performs research and provides information about homosexuality and focuses mainly on Islamic organisations, policy advisors working in the not-for-profit sector etc. Coming out is a problem for several adolescents, especially adolescents with an ethnic background. To

provide help for this particular group, the Schorerstichting produced a book, which was sponsored by the Ministry of Health, Welfare and Sport.

Elderly

To improve the service delivery for elderly people, the Ministry of Health, Welfare and Sport provides funding to several organisations to assess the needs of elderly. The aim is to improve service delivery in the areas of home care, elderly homes and nursing homes. The results of this project will provide information for policy making. In addition, the Ministry of Health, Welfare and Sport proposes to develop social networks for lesbian of 55 year and older and gay men of 75 year and older. The aim is to improve the accessibility of local welfare services and to improve their societal influence on municipality level (Budget: 450,000 Euros for the years 2001-2003).

Health care and other services

Expertise is important to facilitate qualitative and efficient care to homosexuals. For this purpose, the Ministry of Health, Welfare and Sport subsidises the Schorerstichting, an organisation specialized in providing information about psychosocial health care to homosexuals (Budget: 500,000 Euros per year, and additionally the Foundation receives specific project funding). The Schorerstichting provides a telephone helpdesk for questions related to homosexuality and they provide information about health professionals specialised in homosexual service delivery. In addition, since more than 25 years, the Gay & Lesbian Switchboard provides a telephone helpdesk for homosexual persons about all relevant topics.

Sport

Because a lack of information about participation of homosexuals in sport activities, there is no specific national policy proposed in this area. The Ministry of Health, Welfare and Sport therefore proposes to conduct some research. In a few cases the Ministry of Health, Welfare and Sport subsidised educational material on a local level.

International

The Ministries of External Affairs and Developmental Collaboration coordinate the international aspects of homo-specific policy. They focus on protection of human rights, which includes discrimination on the grounds of sexual orientation. For this purpose, a special function (Mensenrechtenambassadeur) was created. In addition, the Ministries of Health, Welfare and Sport and Social Affairs initiated several international non-discrimination projects (Be Equal, Be Different; Budget: 125,000 Euros).

Source: Tweede Kamer der Staten Generaal. Homo-emancipatiebeleid. Vergaderjaar 2000-2001. Nr. 27017 Nr. 2. Den Haag: Sdu Uitgevers, 2001.

3.26 At this moment the measures described above (and their implementation) are being evaluated. In the autumn of 2003, a discussion in the Cabinet was started on how to proceed with this national specific policy regarding sexual orientation. At this moment is not clear if and how (new) policy regarding homosexuality will be set up and/or maintained.

3.27 Our analysis shows that at a national level, equal rights for people with a different sexual orientation have become increasingly established in government policy since the late 1980s. However, there has been less action at regional and local levels.

3.28 Within the responses to this diversity strand of government in the Netherlands, we might identify three distinct groups of services:

- Services provided to homosexuals with a basis in law and regulation (e.g. homosexual marriage, partnership registration, adoption etc.). These services are mainly focused on stimulating equality.

- Services provided to homosexuals (e.g., advice and information websites, helpdesk services, and services relating to homosexual asylum-seekers). These services are mainly focused on specific needs of homosexuals.
- Services provided to the general public (e.g., research, brochures, advertising, internet portals, behaviour codes, etc.). These services are mainly focused on fostering positive attitudes towards homosexual people among the wider population.

Sweden

Introduction

- 4.1 This section focuses on diversity in Sweden and specifically on the diversity strand 'gender'. First, we will discuss two different approaches to diversity in service delivery. These two types are: (1) services delivered with the specific aim to accomplish a society in which women and men have the same opportunities, rights and responsibilities in all areas of life; and (2) service delivery required for the different characteristics of the sexes. Several examples of these two types are discussed. Sweden has especially promoted this first type of service delivery, i.e. the emancipation of women in society. Secondly, we present the background of diversity in service delivery and gender in particular and we will outline the organisational structure of bodies involved in gender equality. Finally, we discuss various specific implemented and proposed national policies towards gender in Sweden.
- 4.2 Initiatives can be recognised on various policy fields, such as education, employment, violence and representation in decision-making bodies. The implementation of these services takes place at various levels in the Swedish government; For example, Sweden has installed a Minister for Gender Issues, and each county has a regional expert for gender equality. Examples of diversity of service delivery will be discussed across various policy fields and government levels.

Different approaches in service delivery

- 4.3 Since the 1970s Sweden has actively promoted the emancipation of women in society. Hence, the national policy attention related to gender issues has mainly focused on the achievement of equality between the sexes. However, regardless of emancipation issues, in some cases the specific characteristics of men and women require a specific fine-tuning of service delivery. Some examples of the two different approaches to diversity in service delivery are discussed below. In some cases it is difficult to assess which of the two types apply - in fact diversity in a certain service may stem from both types. Hence, the two types are not mutually exclusive.
- 4.4 In the perspective of gender equality, services are delivered with the specific aim to accomplish a society in which women and men have the same opportunities, rights and responsibilities in all areas of life. We may distinguish two types of services (Box J).

Box J. Two types of services

Services targeted at the group that requires further emancipation (generally women). This type can be referred to as 'positive discrimination'. Examples in Sweden are:

- Provisions on sexual harassment in working life.

- Quota for women in decision-making bodies.
- Support for women in business.
- Funding for women's organisations.
- Paternity leave ('daddy's month').
- Funds for projects aimed at increasing male representation in gender equality work.

Services targeted at the remainder of society with the objective to promote awareness of equal opportunities:

- Campaigns against domestic violence (campaigns aimed at men).
- Funding for dissemination of gender studies (e.g. unequal income distribution by Statistics Sweden).
- Raising the issue of gender equality on European and global level.

4.5 In the approach where adjustment to gender characteristics is at issue, diversity in service delivery is required for the different characteristics of the sexes without bearing an explicit policy objective with regard to equality or emancipation. For example:

- Parental leave.
- Breast cancer awareness campaigns.
- Gender specific tobacco policy.
- Sexually Transmitted Disease policy for boys and girls.

Policy attention for gender equality

4.6 The attention to diversity in service delivery with regard to the gender strand is mainly concerned with striving for equal opportunities. Sweden abides by the 'Scandinavian model', in which the state and municipalities have major responsibilities for the wellbeing of people. Political consensus exists on the principles of gender equality. In Sweden, gender equality policy is fundamentally concerned with the ability of each individual to achieve economic independence through gainful employment. Measures to enable both women and men to combine jobs with parenthood are important as well. In addition, it should be possible for everybody, regardless of gender, to develop and participate in all aspects of community life according to their capabilities.

4.7 Currently, the government's overall objective in the gender equality field is a society in which women and men have the same opportunities, rights and responsibilities in all areas of life. Specific government's objectives with regard to gender issues are:

- Equal division of power and influence between women and men.
- The same opportunities for women and men to achieve economic independence.
- Equal terms and conditions for women and men with respect to owning their own business, work, employment conditions and career development opportunities.

- Equal access for girls and boys, women and men to education and the development of personal ambitions, interests and talents.
- Shared responsibility for work in the home and with children.
- Freedom from sexual (gender-related) violence.

4.8 The policy measures used for this purpose consist of a generous scheme of paid parental leave, related to childbirth and child sickness, and heavily subsidised public day-care. Further improvements in parental leave insurance and, regarding both duration and financial compensation, and expansion of subsidising public childcare were implemented in the 1980s. An important instrument for upholding the equal rights of women and men in respect of employment, terms of employment, other conditions of employment and advancement prospects at work is the Equal Opportunities Act. Its key objective is to improve the condition of women in the working life. According to this act the employer has the obligation to actively support equal opportunity plans and provide follow-up. The act also prohibits discrimination of individual employees and applicants on the basis of sex, and forbids sexual harassment. Finally, the employer is subject to monitoring rules and sanctions when failing to comply with the law.²¹

4.9 Since the mid-1990s, the government has been adopting a new approach to gender equality work. Previously, work on behalf of gender equality focused primarily on special measures for eliminating gender-related discrimination, whereas today efforts to achieve gender equality have been integrated into all government ministries and spheres. This strategy is called gender mainstreaming. The concept of gender mainstreaming has emerged European-wide at the end of the 1990s. It is defined as “the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making”.²²

4.10 In response to the decision to let gender equality inform all aspects of Swedish government policy, the Ministry of Health and Social Affairs launched a development programme with the title ‘Gender Programme for Social Advancement’. The characteristics of this programme are explained in Box K.

Box K. Characteristics of Gender Development Programme

Overall objectives

The overall objectives of the programme were:

²¹ Council of Europe. Handbook on National Machinery to Promote Gender Equality and Action Plans – Guidelines for Establishing and Implementing National Machinery to Promote Equality with Examples of Good Practice. Strassbourg, 2001 - via: [http://www.coe.int/T/E/Human_Rights/Equality/01_Overview/2_Background_documents/096_EG\(2001\)07.asp](http://www.coe.int/T/E/Human_Rights/Equality/01_Overview/2_Background_documents/096_EG(2001)07.asp). Accessed: 5 April 2004.

²² Council of Europe. Gender Mainstreaming. Conceptual Framework, Methodology and Presentation of Good Practices. Strassbourg, 1998.

- Greater efficiency and quality in ministry activities through women and men being given access to service on equal terms.
- Greater job satisfaction among staff by the best possible use being made of staff resources.
- Equality between women and men – via a high level of quality in both the services provided and the work performed.

The Gender Programme was divided into two stages: – the first focused on the development work of the ministry and its agencies. The initial goal was to ensure that by a certain date all the agencies had drawn up an action plan for working with gender equality issues in their operation. The aim was to mainstream gender into all normal ministerial and agency procedures. An idea group was set up and a project manager appointed for the development work. It was decided early on to build up a support structure for the work and each agency appointed a ‘gender liaison officer’ as a programme contact. Responsibility for the actual programme work lay, and still lies, with senior management. The idea group contributed ideas, proposals for change and training and support.

Knowledge sharing

A precondition for successful gender mainstreaming is an analysis of the operation identifying the needs and capabilities of both women and men. In the Gender Programme these are called gender impact assessments, where the first step is the collection and separation of statistics by gender. Fresh inquiries are then instituted and the status quo is challenged. Are both women and men in a position to influence the operation and have their respective needs shaped the way the organisation’s activities are run? Three agencies were instructed to provide gender impact assessments in limited areas, drawing on the Gender Programme. This work led to a report, Utan spanning ingen aning (‘No Review, No Clue’).

Skills development

The Gender Programme arranged a series of training courses addressing all levels of the organisation: basic training about the programme itself as well as training in preparation both for formulating the agencies’ appropriation directions and for following up the annual report. One of the training courses, for executive officers with specific responsibility for their agencies, involved evaluating to what extent the Gender Programme had been implemented in each respective organisation, on the basis of the annual report. In addition, seminars were arranged to allow people to discuss their experience of the Gender Programme and to provide skills development for gender liaison officers in both the ministry and the agencies.

Support structure

The Gender Programme found that staff needed to be supported in their development work. Such support, however, can take very different forms. The agencies felt that the best support the ministry could provide was in the form of clear, unambiguous directives and insistence on proper feedback and follow-up. The explicit feedback requirement contained in the Gender Programme proved effective. Besides contributing to skills development, the Programme’s seminars and training courses also served as important support for the work under way. In addition, agencies and units had recourse to experts when they wanted to organise seminars of their own or needed help at some stage of the work.

Administrative control

From the outset, the Gender Programme sought to identify the policy control systems involved and introduce a gender perspective into them. The ministry’s appropriation directions gave the agencies explicit instructions. They were required to state in their annual reports what work had been completed in this field and what further efforts were planned. The work on gender equality was also raised in the annual discussions between ministry heads and the heads of agencies. This was a way of demonstrating the importance that the ministry attached to the need for good results from the agencies in this particular field.

Further development

On 1 July 1999, the first stage of the Gender Programme was completed. By then, all bodies coming under the Ministry of Health and Social Affairs possessed an action plan for gender mainstreaming in their respective fields. The work is described in Från sidovagn till huvudfåra (‘From Sideline to Mainstream’), which is a Progress Report from the Gender Programme for Social Advancement. Stage two of the Gender Programme ran until 30 September 2001. It aimed to intensify gender mainstreaming in the work of the ministry and the agencies. The goal was to

ensure that “every proposal tabled and every decision taken by the ministry and its agencies is preceded by a gender impact assessment that is openly reported and leads to action.”

Source: Working Group for Method Development in Gender Equality. Just Progress! Applying gender mainstreaming in Sweden, 2001.

- 4.11 During its EU Presidency from January 1 to June 30 2001, Sweden gave priority to equal opportunities issues. The work programme for the Swedish Presidency (2001)²³ notes that:
- 4.12 “A gender equality perspective must inform all EU activities, particularly in the area of employment. Gender equality is about democracy and justice, about according women and men equal worth. It is also about equal division of economic and political power. One of the most important goals is that women and men should have equal access to employment and thereby support themselves. This involves studying the extent to which the structure of tax, benefits and social insurance systems encourages or deters women from engaging in gainful employment, removing unwarranted pay differentials between women and men, and taking measures to ensure that women and men are able to combine gainful employment and family responsibilities. Efforts to develop methods for comparisons between countries in the gender equality sphere will be pursued. Both women and men must take part in gender equality endeavours. The matter of men's involvement in particular will be highlighted. The Swedish Presidency will also accord priority to the work of combating violence against women.”
- 4.13 During this presidency Sweden has set the agenda for a European wide gender mainstreaming.

Organisational structure

- 4.14 Gender equality principles are ingrained in all areas of policy and society and therefore the Deputy Prime Minister is responsible for the coordination of gender equality affairs. All ministers are thus required to analyse and present proposals concerning equality between women and men in their respective spheres of responsibility. Furthermore, the Minister for Gender Equality holds the overall responsibility for the Government's policy for Equality. There is also a State Secretary, Political Advisors, and a special division for these issues.
- 4.15 A separate Division for Gender Equality (Jämställdhetsenheten) was established at the central government level in 1982. The Division supports and initiates efforts to promote equality at the national and regional levels, developing methods for integration and implementation of a gender perspective in all policy areas. Its aims are

²³ http://eu2001.se/static/pdf/program/ordfprogram_eng.pdf. Accessed: 20 March 2004.

to ensure inclusion of a gender perspective and to achieve equal representation of women and men in various bodies in the State sector. Another task is to initiate gender equality training for the Cabinet Office and other government authorities. It also works with the European Union, the Nordic countries and international organisations on gender equality issues.

4.16 The Division for Gender Equality is charged with various tasks, including:

- Supporting and pushing through the work for equality centrally and regionally, and developing methods for the integration and implementation of a gender perspective (mainstreaming) in all policy areas.
- Reviewing, for example, proposals from other ministries regarding bills and written communications etc. to Parliament, terms of reference for committees, and members of committees and boards, in order to ensure that a gender perspective has been considered and in order to achieve an equal representation of women and men in various organs in the State sector.
- Initiating education for the Cabinet Office and other government authorities regarding equality between women and men.
- Administering budget and appropriations issues which relate to the Equal Opportunities Ombudsman and the Equal Opportunities Commission as well as matters concerning the Equal Opportunities Act.
- Responsibility for co-operation within the EU, Nordic countries and international organisations regarding equality issues.
- Processing applications for funds for developmental work and projects within this field.
- Providing information regarding the government's policy and work for equality.

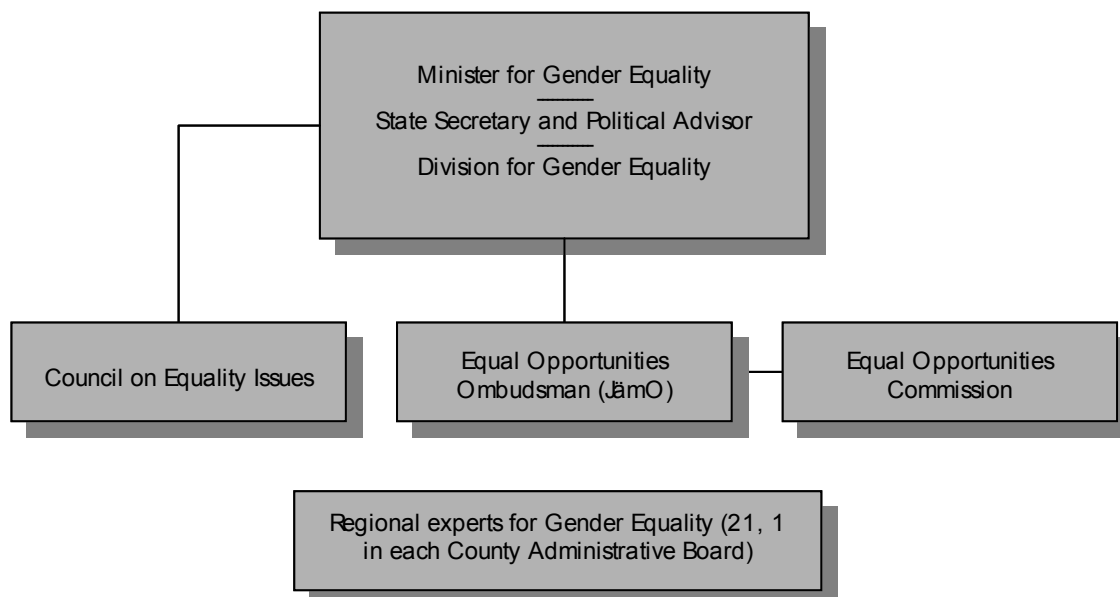
4.17 The Office of the Equal Opportunities Ombudsman (Jämställdhetsombudsmannen, JämO) is an independent government authority under auspices of the Ministry of Industry, Employment and Communications. It was established in 1980 when the first Equal Opportunities Act came into effect. The Ombudsman has an independent status, which means that the office reaches its own decisions in all individual matters. Its primary task is to ensure compliance with the Equal Opportunities Act and portions of the Equal Treatment of Students at Universities Act by providing advice and information and by negotiating with individual employers or universities/colleges. The Ombudsman can represent employees or students in disputes regarding alleged violations of the ban on gender discrimination in these two acts. In this context, it may

also invoke other legislation, such as the Employment Security Act and the Parental Leave Act.

- 4.18 The Equal Opportunities Ombudsman may also, upon either request or her own initiative, review matters covered by the provisions of the Equal Opportunities Act requiring employers to actively promote equality at the workplace. For instance, those with ten or more employees must conduct an annual survey of pay differentials and draw up an annual gender equality plan. When an employer fails to do so, the Ombudsman may ask the Equal Opportunities Commission to order certain financial sanctions. Other important responsibilities of the Ombudsman include providing public information and training to facilitate gender equality at workplaces and at universities and colleges.
- 4.19 The Equal Opportunities Commission (Jämställdhetsnämnden) is another government authority under auspices of the Ministry of Industry, Employment and Communications. It is charged with ordering an employer, following an application by the Equal Opportunities Ombudsman or a union and under penalty of a fine, to comply with the requirements set forth in the Equal Opportunities Act concerning active measures to be taken by the employers. The commission consist of lawyers, representatives of the social partners, and experts on labour market and on equality issues.
- 4.20 The Council on Equality Issues (Jämställdhetsrådet) is a forum for the exchange of ideas and discussion of current equality issues and functions as an advisory body to the Deputy Prime Minister, who chairs the Council. Its about 40 members represent political and private interests including women's organisations, political parties, and employer and employee organisations. The council meets four times per year.
- 4.21 At regional level, Sweden's 21 county administrative boards are responsible for co-ordinating national and local policies. Since January 1995, regional expert on equality issues are represented in each of the County Administrative Boards. Each county administrative board has worked out a strategy for gender equality work in the field. The special county experts cooperate with the Equal Opportunities Ombudsman and they experts support the implementation of the national policy for gender equality and promote mainstreaming of a gender perspective into all policy fields in their regions.
- 4.22 At local level government officers co-ordinate activities to promote equality within their communities. One of their tasks will be to provide detailed gender equality analyses of certain equalization areas, primarily in local authorities' personal and family counselling services, care of the elderly and the health and medical sector.

4.23 The figure below summarises the organisational structure of gender equality issues in Sweden.

Figure 1: Organisational chart of gender equality issues in Sweden



Source: *Regeringskansliet, 1999* - via http://naring.regeringen.se/pressinfo/faktablad/PDF/n99_06e.pdf. Accessed: 31 December 2003.

Diversity in service delivery: Swedish Gender Policy

4.24 As indicated in previous sections, Sweden has come relatively far in implementing a gender perspective in its policymaking. Diversity in service delivery is reflected in various aspects of Swedish public policy; here we distinguish eight main categories, which are partly concurring with those recognised by the Regeringskansliet:

- Family and work.
- Working life.
- Violence against women.
- Health.
- Children and education.
- Representation in politics and business.
- Regional and local policy.
- Men and gender equality.

Specific initiatives are listed in Box L.

Box L. Characteristics of Gender Development Programme

Family and work

The right to childcare/preschool for the children of parents who are on parental leave with other children in the family applies from 1 January 2002.

Over SEK 4,000 million is invested in a ceiling for childcare fees, introduced on 1 January 2002.

Parental insurance (benefit entitlement) is to be extended by the introduction of an extra month reserved specifically for the mother or father from 1 January 2002.

The guaranteed payout in the parental insurance system is raised by SEK 60 to SEK 120 a day from 1 January 2002, which necessitates a total investment of SEK 200 during the year. In 2003 the guaranteed level was raised further to SEK 150 a day and in 2004 to SEK 180.

On 1 January 1998 parental benefit was increased from 75% to 80% of the pay on which a person's sickness benefit is based (SGI). This increase improves the chances of parents being able to combine gainful employment and family life.

By means of a ceiling on preschool fees families have gained more flexibility in balancing family and working life according to their needs. Based on a study from a working group in the Government offices, which assessed the benefits of this fee ceiling, introduction of a ceiling on the fees for municipal childcare up to the age of 12 is considered.

Working life

Many people, especially women, are part-time unemployed against their will. In its Budget Bill, the government proposes investing SEK 100 million a year from 2002 to 2004 inclusive to provide training for this group and to encourage employers to reduce part-time unemployment.

The government wants more women to start and run businesses of their own. Women are among the beneficiaries of a SEK 42 million programme included in the Budget Bill as an incentive to entrepreneurs.

A growing problem in Sweden is the increase in ill-health resulting from stress and a heavier burden of work in professional life. Most occupational injuries afflict groups in society that are already vulnerable, women among those. The government proposed to allocate SEK 500 million for 2002 and SEK 1,000 million from 2003 onwards in order to strengthen the occupational injury insurance system.

In recent years, the occupational injury insurance system has been exposed to much criticism, particularly with regard to the way repetitive strain injuries and mental disorders are assessed and to the situation of women where such problems are concerned. As a result, the government is currently reviewing the system. Legislation on occupational injury insurance needs to be modernised and made fairer, and assessments need to be more reliable.

The governors of Swedish counties have been instructed with a budget of 1.5 million SEK to create awareness of the unbalanced distribution of financial resources and economic power between men and women. Statistics Sweden has been allocated 1 million SEK to make a fresh study along the same lines.

The government has set up an inquiry into the possibility of introducing voluntary gender equality labelling on products and services. The idea is to give consumers the opportunity to actively promote gender equality through the choices they make.

Violence against women

A government bill, 'Violence against women' was submitted to the Riksdag in the spring of 1998 and adopted in May the same year. It contained a wide variety of measures aimed at combating both violence against women and prostitution and curbing sexual harassment in working life. A new criminal offence was introduced into the Penal Code. It focuses on repeated punishable acts directed at a person close to the offender (grave violation of women's freedom from molestation), but also takes in children and others close to the offender (grave violation of freedom). The bill also outlawed the purchase of sexual services. In connection with the bill, the Government earmarked SEK 41 million for measures to combat violence against women. The 'Violence against women' bill is currently being followed up to determine whether further measures are required.

The government considers the work of the NGOs to be important and worthy of support. Funding for women's emergency shelters and their national organizations has been stepped up: (1) Over and above the SEK 5 million a year previously allocated to the shelters, they are now receiving an additional SEK 6 million a year. Men's emergency centres and other men's organizations involved in the work to combat violence against women have received a total of SEK 1.5 million; (2) The government has

earmarked SEK 2 million for projects directed at or initiated by young people and related to the issue of violence against women; (3) The National Women's Centre has been given SEK 3 million so that it may ensure the continuation of its work and spread information concerning what has been learnt in the work process.

The Swedish government has given certain national agencies joint assignments relating to the issue of violence against women. The assignments include making greater efforts to prevent violent crime against women, producing action programmes for each agency's own work in this respect and collaborating with other government agencies and NGOs. The agencies chosen for this task include the regional public prosecution offices, the National Police Board and all police authorities, the National Council for Crime Prevention, the National Prison and Probation Administration, the National Board of Health and Welfare and the county administrative boards.

The National Police Board has been instructed to determine and report on what special measures have been taken by the country's police authorities with regard to the issue of violence against women.

The National Board of Health and Welfare has been given the task of leading development cooperation work on issues concerning prostitution and violence against women. The aim is to enhance competence and method development in the social services and in the health and medical care sector.

The National Prison and Probation Administration has been directed to survey existing methods of treatment for men who have been convicted of violent crimes against women.

The training courses that lead to careers involving contact with women exposed to gender-related violence have been altered so as to incorporate issues relating to gender equality and violence against women.

Health

Since 1994, the proportion of women on long-term sick leave has increased by about one per cent a year and the trend is continuing. The government proposed an action programme in its Budget Bill aimed at developing a cohesive strategic investment in both better working conditions and better health in working life. Resources are to be set aside for active rehabilitation efforts designed to encourage people on long-term sick leave to find their way back into working life.

Children and education

Vulnerable girls

The Minister for Gender Equality Affairs aims to improve conditions for vulnerable girls in Swedish society has set aside SEK 1.5 million for projects started and run by women themselves. The National Integration Office is required to prioritise gender equality projects aimed at improving the situation of vulnerable girls.

Sexual harassment

The Ministry of Education and Science has initiated a 'common basic values' project, supporting local efforts to promote basic democratic values in preschool, school and adult education. The National Agency for Education has been commissioned to produce reference material on how to deal locally with common value issues such as gender-related bullying and harassment.

Amendments in the Higher Education Act ensured that higher education institutes (HEIs) are required to prevent students from being subject to sexual harassment. The act made it possible to take disciplinary action against students who expose other students or staff members to sexual harassment.

Gender equality council

The National Agency for Higher Education has set up a gender equality council to furnish it with ideas and proposals and act as a reference group.

Gender distribution in education

Targets were drawn up to increase the proportion of newly recruited female professors in the 1997-99 at all the universities and a number of the other institutes of higher education.

32 professorships were funded for whichever sex is underrepresented and for 10 guest professorships for women. Additionally, between 1995 and 2002 funding is provided for reservation of 73 postdoctoral fellow positions for the under-represented.

SEK 30 million a year was allocated for the 1995/96-1999 period to boost the number of female postgraduate students employed in higher education. And all employment categories (except professors) should provide an update of the progress in gender distribution related to postgraduate studies, employment of postgraduate students, etc.

Various funds have been granted for projects, which aim to increase the proportion of male childcare workers and preschool teachers.

Special measures on behalf of officers and other groups with post-secondary or university training are also being provided with the object of increasing men's interest in teacher training. Furthermore, various measures to increase the proportion of men in childcare and school systems have been recommended in a report from the Teacher Training Committee.

HEIs offering courses in natural science and technology were required to take steps to increase the proportion of women in programmes where women were under-represented. Institutions that trained nurses and teachers were charged with increasing the number of men in programmes where men were under-represented. Updates on the progress of these measures should be provided in the annual reports.

Representation in politics and business

Measures taken so far to enhance female representation in decision-making bodies include:

- Stricter internal procedures when the government makes board appointments.
- Various incentives to boost the proportion of women.
- The highlighting of gender-based division through the dissemination of statistics.
- Specific directions exist on how to handle when nominating members for boards and committees.

Those responsible for nominations should always submit at least one male and one female name.

- In 1996, the government granted funds to both the Swedish Association of Swedish County Councils to commit to increase female representation.

Other measures have been taken to enhance the balance of men and women in executive positions:

- The government has reviewed its executive recruitment policy and developed guidelines in this respect. The agencies are expected to abide by the new policy.
- The National renewal Fund has started an 'Executive Academy' a development programme for women in executive positions in public administration.
- The government has introduced a new follow-up system for employer policy that includes a requirement for gender-specific statistics.

The government has also taken measures to promote female entrepreneurship in the private sector:

- Between 1998 and 2000 the Swedish government has allocated SEK 30 million for measures to encourage female entrepreneurs.
- The Swedish National Board for Industrial and Technical Development has launched local project with female businesses in around 100 areas. This type of support has led to the initiation of between 15 and 45 business start-ups in each local authority area.
- A business loan for women has become available in 1994, which was provided to over 5000 companies. Evaluation has shown that these loans have generated over 10,000 new jobs.

Regional and local policy

A quota rule has been applicable to regional development and employment grants; 40% of the job openings must go to either of the sexes.

Regional and local resource centres for women have been set up in about 120 locations around Sweden. A number of resource centres have started special project for young women.

In autumn 1995 the Swedish Association of Local Authorities was given SEK 2 million for the task of producing fresh information about gender equality work, developing new methods for the pursuit of it and ensuring that all municipal activities are informed by a gender equality perspective. The project has, inter alia, generated what is termed the 3R Method. To support developments in this area, the Government has allocated further funds for a project leader training programme aimed at passing on what has been gleaned from the municipal gender equality project and from the 3R Method.

The municipal equalization system for local authorities and county councils takes into account structural differences in costs for women's and men's service needs. Where justified, cost equalization as been based on separate needs assessments for women and men.

Men and gender equality

The National Social Insurance Board (RFV) was given funds by the government in 1996 for a two-year nationwide information campaign promoting paternity leave.

The organization 'Male Network: For Manliness, Against Male Abuse' was given funds in 1996 for the dissemination of information concerning men and violence. In connection with its bill, 'Violence against women' (prop. 1997/98:55), the government earmarked SEK 1.5 million for a project supporting the efforts of the Swedish men's movement to combat violence against women.

The county administrative boards of Västernorrland and Jämtland have been given funds for various projects aimed at increasing the participation of men in gender equality work.

In 1999 the government has launched a two-year project focusing on men and gender equality work. A reference group comprising representatives of the political parties, the employers, the trade unions and the scientific community etc. is to be linked to the project. The aim of the project is to increase awareness of the obstacles that exist and of what further measures and required in order to get more men involved in gender equality work.

Sources: Regeringskansliet. Swedish Government Policy on Gender Equality: Into the 21st Century, 2000 - via: http://www.naring.regeringen.se/pressinfo/faktablad/PDF/n2000_009e.pdf. Accessed: 31 December 2003; Regeringskansliet. Factsheet - Some gender equality initiatives in 2002. Ministry of Industry, Employment and Communications, 2001 - via: http://www.naring.regeringen.se/inenglish/pdf/n2001_051e.pdf. Accessed: 31 December 2003; SOU. Learning and Leading. Teacher Training for Interaction and Development. Teacher Training Committee, 1999: 63.

- 4.25 The Swedish gender policy has traditionally been closely linked with employment policy and family policy, since for many years it focused on enabling couples to combine raising children and gaining employment. Services such as a generous parental leave system, flexible part-time arrangements for women and a heavily subsidised child care system have resulted in a female labour force participation rate, which is among the highest in the world. Although female labour force participation is relatively high, there is still an unequal balanced income distribution between men and women, men still dominate in entrepreneurial settings and many women are still part-time unemployed against their will. Therefore, the Swedish government has recently invested in a range of provisions to improve equality in working life. Examples of such services are: training for women who are part-time unemployed against their will; beneficiaries for female entrepreneurship; an awareness campaign of unequal income distribution.
- 4.26 An end to gender-related violence is a crucial condition for achieving gender equality. The government's efforts in recent years have focused specifically on improving and tightening legislation, taking preventive measures and seeking to ensure that women exposed to violence are treated in a better way.
- 4.27 An important aspect of Swedish gender policy in recent years has been the encouragement of gender distribution in education. Institutes of higher education were charged with targets for the recruitment of female professors and postgraduate students; institutes offering education in natural science and technology were required

to increase the proportion of female students, whereas institutions training teachers and nurses were required to take steps to increase the male proportion.

4.28 Another objective of the Swedish government on gender equality has been a balanced distribution of power and influence between women and men. A level of female representation in decision-making bodies that reflects the national demographic characteristics is a crucial need for democracy in this regard. Therefore, the government adopted a programme to increase female representation in decision-making bodies. The strategy has three steps: 1) to make the shortage visible by statistical monitoring and reports made to the Parliament; 2) by establishing time-specific goals to increase the proportion of women on state boards and committees and 3) the pursuit of measures to help achieve these objectives. The goals set for increasing women's representation were 30% by 1992, 40% by 1995, and 50% by 1998. In 2000 the Cabinet had a balance of 11 women and 9 men (in 1994 it was 10 women and 10 men). In the Parliament (Riksdag) and in municipal councils women's representation is slightly behind schedule. Women held 43% of the seats in the parliament and on average 41% of the positions in municipal councils.

4.29 Traditionally, it is women who have been actively involved in gender equality issues. The Swedish government has been actively attempting to get more men involved in issues of gender equality, by:

- seeking to persuade more fathers to take parental leave;
- boosting the number of men working in schools and in childcare; and
- supporting men involved in campaigns against domestic violence.

Annex: Data Gathering Design

This annex presents the analytic framework that guided the information search strategy for the international reviews.

The international reviews were conducted via internet-based document reviews in each country, with the search strategy based on the expert knowledge of the researcher. Both English and native-language sources were consulted. The studies were orientated according to the framework presented in Figure A.2.

Figure A.2 Analytic Plan for the International Review

Objective:

The study will

Address equality and diversity in service delivery across Government bodies outside the UK

Determine the appropriateness and applicability of various models used for the Central Government Bodies in the UK

Approach

Selection of experiences:

Based on the scoping study and the various strands of diversity that have been distinguished, we use the strands to identify interesting practices in various countries across the world.

However, it is important is to figure out what the study's most important focus of the analysis will become. The international examples include those selected for advances in a particular diversity strand, as well as those with integrated "human rights" programs (such as Canada)."

Analytic framework:

The framework leans heavily on the areas of attention addressed by the survey and the issues identified through the interviews.

The following two categories focus on proving a context for the international case studies

Background information

Political structure

Size of government budget (as % of GDP)

Range of services delivered (prioritized by expenditure)

Economic performance

Population characteristics in terms of strands (gender, race, disability (?), sexual orientations (?), religion/belief, age)

National Policy attention

How important are diversity and equality issues in policymaking in general?

Are different strands distinguished, are they considered equally important? Which of the six strands mentioned above are 'officially' recognized

At the national level, is there a specific champion for diversity in general or the individual strands in specific?

Is there specific attention to diversity and equality in service delivery?

Are specific targets set in terms of strands?

The following issues are directed at the level of an individual agency

Policy strategies and management

What is the importance of diversity in the overall responsibilities of the agency/agencies?

Is the objective of the agency focused on diversity or not?

Does the agency have to deliver a wide variety of services?

Is ensuring diversity in service delivery a priority

Are there other competitors for organizational attention?

What is the driver of diversity and equality?

Legislation?

Social Justice?/PC issues?

VFM/service delivery issues

Client group requests?

Etc.

How long have diversity and equality issues been specifically considered?

What is the impact of political issues on agencies' activities?

How are specific strands of diversity balanced within an agency?

Is there high-level commitment/endorsement (e.g., through specific Champions/High level managers) of the diversity and equality activities? Do they focus on certain strands?

What is the overall responsibility of the Champion related to other tasks?

Is there specific support for the Champion?

Are the diversity activities of an agency monitored, internally or externally?

Are specific indicators used to measure the diversity performance of the agency?

How is data collection managed?

Organizational structure

Is policy related to the diversity of service delivery embedded in the total structure of the government organization, focused within a dedicated unit or incorporated into a unit with other responsibilities (e.g., HRM)?

Are various responsibilities (policy formulation, implementation, evaluation) related to diversity distinguished? How are these functions organized within an agency?

What is the level of (de)centralization of policy implementation?

What is the level of (de)centralization of service delivery?

Resources available

Staff

What is the size of staff responsible for diversity issues (FTE)?

What is the total size of staff of the particular agency

What is the qualification of the staff?

What are their primary role requirements; how do they deal with secondary responsibilities?

What are recruitment procedures?

How important is diversity in staff composition?

How great is diversity in staff composition?

Budget

Is there a specific budget for establishing diversity in service delivery?

What is the budget per staff?

What is the budget compared to the size of the targeted population?

Implementation of service delivery/interaction with the client groups

To whom are services delivered? What is the composition of the client groups?

How uniform or tailor made is the service delivery?

Where does the service delivery take place: dispersed (e.g., locally, at various agencies at the central level, a combination thereof), integrated (e.g., one stop shop), locally?