

NETWORK-09'S MANIFESTO

AHEAD OF THE SWEDISH
PRESIDENCY OF THE

EU in 2009

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AHEAD OF THE SWEDISH

MANIFESTO
NETWORK-09'S



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SUMMARY

Network-09 was formed in 2007 and is a coalition comprising **RFSU (Swedish Association for Sexuality Education)**, **Africa Groups of Sweden**, **RFSL (Swedish Federation for LGBT Rights)**, **The Kvinna till Kvinna Foundation**, **Amnesty International**, **RFSL Ungdom (Swedish Youth Federation for LGBT Rights)**, **Forum Syd**, **Svalorna Latinamerika** and **Sveriges Kvinnojourers Riksförbund**.

Together, we are urging the government to use Sweden's EU presidency in 2009 to highlight the EU's role in securing sexual and reproductive health and rights (SRHR), irrespective of gender and sexual orientation – both in Europe and beyond.

The government has drawn up five priorities for the negotiations with the French/Czech/Swedish troika. This document aims, on the basis of the priorities, to show the links with SRHR perspectives and to highlight what we want the government to do during the presidency.

THE 09 NETWORK URGES THE GOVERNMENT TO DO THE FOLLOWING DURING THE SWEDISH PRESIDENCY:

The EU as a global actor and continued enlargement

→ to work to ensure that UN Security Council Resolution 1325 on women, peace and security permeates all of the EU's relations with countries in conflict and their peacekeeping initiatives.

→ to work to ensure that UN Security Council Resolution 1820 on sexualised violence in armed conflicts permeates all of the EU's relations with countries in conflict and their peacekeeping initiatives.

→ to organise an international conference with civil society on how the action plan from the population conference in Cairo should be implemented.

→ to work strategically to ensure that the Council of Ministers of the EU can adopt clear, strong language for SRHR in Council Conclusions on the International Conference on Population and Development + 15 (ICPD+15).

→ that Sweden's government continues to drive SRHR issues together with likeminded countries as self-evident preconditions for democratic development, human rights and openness within and outside of the EU, and thus clearly challenge interests that question people's rights to make choices over their own bodies and sexuality.

{1} SUMMARY continued

Jobs, growth and competitiveness

→ to work to ensure that EU Member States increase access to contraceptives and information so that young girls and women are given the opportunity to choose when and whether they want to have families, thus boosting women's participation in the labour market.

→ to work to ensure that same-sex couples who live in partnerships or marriages are recognised legally in all Member States so that same-sex couples have the same opportunities as other people to move freely and work within the EU.

→ to work to ensure that gender identity is added as a ground of discrimination so that transgender persons are also protected at work, and to work to ensure that the Act is applied in practice in accordance with the intention of the Act.

A safer, more open Europe

→ to work to ensure that violence linked to sexuality and gender identity, such as human trafficking, is highlighted in the law enforcement, judicial, social and migration policy cooperation within the EU.

→ that the EU introduces legislation prohibiting hate crime against lesbian, gay, bisexual and transgender (LGBT) people in the same way the EU has done in respect to racist violence.

→ to work for common legislation in which persecution on the grounds of sexual orientation and gender identity is included as a basis for granting asylum.

→ to work for a common antidiscrimination directive covering societal areas outside of work and including all grounds of discrimination.

→ to work to ensure that Europe is a safe, secure place in which young women and men can develop and make free choices linked to their sexuality.

The Baltic Sea and relations with neighbouring countries

→ to direct sharp criticism at the countries in the EU that commit breaches of human rights and, in particular, to highlight breaches linked to sexual and reproductive rights.

→ to increase cooperation in the Baltic region aimed at exchanging experience on how the countries reduce the spread of HIV and other sexually transmitted diseases and work to prevent unwanted pregnancies.

→ that the cooperation with the Baltic region focuses in particular on combating human trafficking.

Climate, energy and the environment

→ to counteract the negative consequences for human rights, including sexual and reproductive rights, that climate change and environmental disasters may entail, for example, in connection with environmental refugees.

→ to work actively to ensure that the EU increases the proportion of financial resources designed to boost poor people's access to information, advice and contraceptives in order to give them the opportunity to plan the number of children they have.



ABOUT NETWORK-09

Network-09 was formed in 2007 and is a coalition comprising **RFSU (Swedish Association for Sexuality Education), Africa Groups of Sweden, RFSL (Swedish Federation for LGBT Rights), The Kvinna till Kvinna Foundation, Amnesty International, RFSL Ungdom (Swedish Youth Federation for LGBT Rights), Forum Syd, Svalorna Latinamerika and Sveriges Kvinnojourers Riksförbund.** Together, we are urging the government to use Sweden's EU presidency in 2009 to highlight the EU's role in securing sexual and reproductive health and rights (SRHR), irrespective of gender and sexual orientation – both in Europe and beyond.

As NGOs active in Sweden and worldwide, we have extensive experience in and sound knowledge of working with human rights from various points of view, such as women and safety, children's rights, the vulnerability of lesbian, gay, bisexual and transgender people, the right to one's own body, sexuality, and health and HIV/AIDS.

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SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS – AN IMPORTANT ISSUE FOR THE EU

How much can issues of the individual's freedom and rights in respect to sexuality and family formation actually have to do with the EU? A lot, we say. EU Member States already have an influence on people's rights to their bodies and sexuality via legislation and exchange of experience, both within the EU and when the EU acts on the international stage.

THE TERM SEXUAL AND REPRODUCTIVE health and rights (SRHR) involves physical and mental integrity and the right of sexual self-determination, regardless of gender or sexual orientation. SRHR is based on human rights and affects an individual's choices in life.

The term SRHR includes, for example, a person's right to determine whether and when she will **give birth** to children, freedom from **violence in close relationships**, freedom from **homophobic violence**, freedom from **human trafficking** and **forced prostitution**, access to **contraceptives**, unprejudiced **sex education**, and the right and access to **free abortion**. The government has defined the term itself in "*International Policy for Sexual and Reproductive Health and Rights*", 2006.

An EU in which people cannot live with the person they love, in which women and men cannot choose whether they want to be parents, or in which young people are denied information on how to protect themselves against HIV or unwanted pregnancy is not an EU that is for all. The EU's ambition to be democratic and open to all EU citizens requires the EU to work for the freedom to be the person you are and exercise self-determination over your own body and life.

The EU Member States have signed the European Convention on Human Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women, and the UN's action plans from Cairo in 1994 and Beijing in 1995. One of the tasks of all of these instruments is to guarantee individuals' sexual and reproductive rights.

EU Member States already have an influence on people's rights to their bodies and sexuality via legislation and exchange of experience, both within the EU and when the EU acts on the international stage. The Commission and the Council of Ministers have, for example, taken

{3} SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS – AN IMPORTANT ISSUE FOR THE EU

continued

decisions on the **prevention of HIV**, greater **equality of opportunity between women and men**, and **reduced discrimination on the basis of sexual orientation**. The European Parliament has also, on several occasions, written reports and debated abortion and sexual and reproductive rights. In the field of international development cooperation, SRHR is an area that is discussed intensively by all institutions.

Another important reason why we in Sweden are driving these issues in the EU as well is that the persons and organisations aiming to restrict human rights in this field are active in Brussels. Unless we, as non-governmental organisations, together with Swedish MP's and ministers take this opposition seriously, they will ensure that decisions are taken to favour their agenda.

There is no doubt that many of the SRHR issues are some of the most difficult political issues on which to reach agreement. Resistance to women's right to choose abortion is strong in some Member States. In Sweden there is a long tradition of openness concerning issues of sexuality and information on sexual matters that makes us unique. There is, therefore, great international expectation that the Swedish government will act as an example and ensure that issues of SRHR are included during the Swedish presidency. During this time, Sweden has a chance to lead and mediate to take a step forward and make Europe safer, more secure and more modern for all of its inhabitants.

The Government has drawn up five priorities for the negotiations with the French/Czech/Swedish troika. This document aims, on the basis of the priorities, to show the links with SRHR perspectives above and to highlight what we want the Government to do during the presidency.

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THE 09 NETWORK'S PERSPECTIVE ON SWEDEN'S PRIORITIES

The EU as a global actor and continued enlargement

THE EU HAS A CENTRAL VOICE in the global arena. During the Dutch presidency in 2004, the EU was united in strong Council conclusions that took a clear stand on the right and freedom of the individual's sexual and reproductive self-determination. This took place during the 10th anniversary of the Cairo declaration (ICPD+10). Since then, the EU's voice in the global arena has been weakened. In the past year, the EU has not been able to negotiate as one on the UN Commission on the Status of Women or the UN Commission on Population and Development.

As Sweden's presidency coincides with the 15th anniversary of the action plan from the population conference in Cairo (ICPD+15), expectations are high. Via strategic work starting now, Sweden can succeed in expanding the circle of active likeminded Member States and thus isolate Poland, Ireland and Malta.

UN Millennium Development Goal 5 concerning improved **maternal health** will not be achieved without political leadership. Maternal mortality in the world has barely fallen in the past 20 years. Every 60 seconds a woman dies of pregnancy-related or childbirth-related causes; 99% of these women live in developing countries.

The EU is required as a global player to promote women's and men's right to access to **contraceptives, maternal health care** and **safe abortion**. The EU must also ensure that HIV prevention involves unprejudiced information on sexual matters and **distribution of condoms**. The EU is required as a political counterweight to those who say that young people should not receive information on **safe sex**.

Every fifteen seconds, a person aged between 15 and 24 is infected with HIV. Unprotected sex is the main cause of HIV spreading. Therefore, prevention and treatment of HIV and AIDS are part of the SRHR agenda.

SRHR is also part of **security policy**. Women run a greater risk of suffering sexual violence in conflict zones and there are frequent reports that rape is used as a weapon in open conflicts. Women also play a key role in peace-building and conflict-prevention work.

{4} THE 09 NETWORK'S PERSPECTIVE ON SWEDEN'S PRIORITIES continued

Poverty involves not only a lack of financial resources. It also involves being deprived of power and choices, including power over your own body and sexuality, even if it falls outside of the heterosexual norm, as well as choice in respect to family planning and HIV prevention.

In the 2008 budget, SRHR is an important component under the international development priority of **equality of opportunity between women and men** and women's development. The budget also states that the priorities must support the work to identify specific efforts and initiatives during the Swedish Presidency in 2009. In its Policy for Global Development Communication from March 2008, the Government writes that the action programme from Cairo must be implemented. We see this as a clear desire for Sweden to prioritise SRHR in its development cooperation during the Swedish Presidency.

THE 09 NETWORK URGES THE GOVERNMENT TO:

→ work to ensure that UN Security Council Resolution 1325 on women, peace and security permeates all of the EU's relations with conflict countries and their peace-keeping initiatives.

→ work to ensure that UN Security Council Resolution 1820 on sexualised violence in armed conflicts permeates all of the EU's relations with conflict countries and their peacekeeping initiatives.

→ organise an international conference with civil society on how the action plan from the population conference in Cairo should be implemented.

→ work strategically to ensure that the Council of Ministers of the EU can adopt clear, strong language for SRHR in Council Conclusions on the International Conference on Population and Development + 15 (ICPD+15).

→ continue to drive SRHR issues together with likeminded countries as self-evident preconditions for democratic development, human rights and openness within and outside of the EU, and thus clearly challenge interests that question people's right of determination over their own bodies and sexuality.

{4} THE 09 NETWORK'S PERSPECTIVE ON SWEDEN'S PRIORITIES continued

Jobs, growth and competitiveness

All people must regardless of, for example, their gender and sexual orientation, and regardless of their choice to start a family or not, have the opportunity to acquire training and education and to participate in the labour market on equal conditions. People's right of self-determination over their own bodies and their own sexuality is linked to opportunities to support themselves.

Women's opportunities to work and have families

One precondition of the ability of both women and men to participate in the labour market is that they can decide whether and when they want to have children and how many children they want to have. In Europe the chances of getting a job, increasing working hours or searching for a job with greater responsibility are worse for women than for men.

Swedish history shows how **access to contraceptives** was fundamental to the education of women and women's participation in the labour market. Access to contraceptives is very low in many EU Member States. In Europe today, women above all are frightened of the consequences of an unwanted pregnancy. In many countries, parenthood means an involuntary retreat from the labour market and school, major financial sacrifices and, in many cases, social isolation.

Lack of **opportunities for abortion** and the restrictive abortion legislation in some EU Member States mean that women cannot always decide themselves whether and when they want to have children. This naturally has an effect on women's opportunities to have careers and exert influence. Poor access to safe, legal abortion can endanger women's health and, in the worst case, lead to death.

Legal recognition of same-sex partnership and marriage

Wherever you travel within Europe, marriage between men and women is regarded as being legally equivalent, although our individual national laws may be different. The situation is different for same-sex couples who live in partnerships or marriages since these forms of cohabitation are not legally recognised between the Member States. This means that LGBT people and their families are restricted in their ability to exercise **the right to move freely** within the EU – one of the most central rights of EU citizens.

Vulnerability of transgender persons

Access to work is even more restricted for transgender persons than for lesbians, gays and bisexuals. Transgender persons report how they can be forced into prostitution or unsafe jobs in the service sector without insurance or the other benefits that are normally enjoyed. This leads to unsafe employment and few opportunities to make demands on and influence your work.

{4} THE 09 NETWORK'S PERSPECTIVE ON SWEDEN'S PRIORITIES continued

Importance of openness and common discrimination legislation

As long as LGBT people are not welcome in all industries and occupations and cannot live openly with their sexual orientation and/or gender identity, there remains an unjust, discriminatory climate in the labour market. The current antidiscrimination legislation, which includes working life, represents protection in theory but is often ineffective when it comes to practical application. Application of the legislation must be improved. Another very important measure to ensure protection is **common antidiscrimination legislation** that also includes sexual orientation and gender identity and not only concerns working life but also goods, services and other parts of society.

**THE 09 NETWORK
URGES THE GOVERNMENT TO
WORK TO ENSURE THAT:**

→ EU Member States boost access to contraceptives and information so that young girls and women are given the opportunity to choose when and whether they want to have families, thus boosting women's participation in the labour market.

→ same-sex couples who live in partnerships or marriages are recognised legally in all Member States so that same-sex couples have the same opportunities as other people to move freely and work within the EU.

→ gender identity is added as a ground of discrimination so that transgender persons are also protected at work, and to work to ensure that the Act is applied in practice in accordance with the intention of the Act.

{4} THE 09 NETWORK'S PERSPECTIVE ON SWEDEN'S PRIORITIES continued

A safer, more open Europe

Vulnerability to violence

A safer Europe means greater safety in your private life and in society. Violence occurs in close relationships, in the family and out in the street.

Violence in close relationships means that the perpetrator uses violence to injure or gain power or retain control over his or her partner. It may be physical, mental, verbal or sexual violence and is inflicted in both same-sex relationships and different-sex relationships. This violence also affects the children who live with it as part of their everyday lives. Children who grow up in families in which violence occurs are victims of crime.

Violence in the name of honour, honour crime, involves a family's/community's strong control over an individual's sexuality. The control is applied to preserve the so-called honour of a family/community. Violence can occur in all families/races, regardless of religion, country of birth or cultural affiliation, and can affect women, men, children and LGBT people.

Sexualised violence, such as sexual abuse, sexual exploitation and rape, is common as part of violence against women. Sexualised violence also includes female circumcision, which occurs in some cultures and families.

"Corrective rape" is violence against lesbian and bisexual women, frequently sanctioned or even carried out by the woman's family. LGBT people may also be forced into marriage against their wills. And women who do not marry may end up in a position of dependency on their families and also be forced to shoulder the burden of caring for old and sick family members without any opportunity to exert influence over their own lives.

Hate crime is committed on account of someone's prejudices and hate for a specific group of people. Hate crime is directed against people on account of their gender and sexual orientation, for example.

Human trafficking

Exploitation of adults and children as commodities and forced prostitution are crimes against human rights. The EU must be a self-evident, natural player in the struggle against this gross violation of people's right to self-determination over their own lives, bodies and sexuality.

{4} THE 09 NETWORK'S PERSPECTIVE ON SWEDEN'S PRIORITIES continued

Asylum

National and European laws and their application must not infringe on human rights in such a way that people are denied residence permits and are sent back to countries where they risk persecution, torture and death. It should be a matter of course for EU Member States to recognise **persecution on the basis of sexual orientation** as a ground for asylum in the same way that Sweden does by law.

Freedom of speech and freedom of assembly

In several countries in the EU, the right to freedom of speech and assembly is infringed upon. Clear examples are the **LGBT Pride marches** in Poland and the Baltic region, during which participants were subjected to threats and violence, where the marches were permitted at all.

THE 09 NETWORK URGES THE GOVERNMENT TO WORK:

- ➔ to ensure that violence linked to sexuality and gender, such as human trafficking, is highlighted in the law enforcement, judicial, social and migration policy cooperation within the EU.
- ➔ to ensure that the EU introduces legislation prohibiting hate crime against LGBT people in the same way the EU has done in respect to racist violence.
- ➔ to work for common legislation in which persecution on the grounds of sexual orientation and gender identity is included as a reason for granting asylum.
- ➔ to work for a common antidiscrimination directive covering social areas outside of work and including all grounds of discrimination.
- ➔ to work to ensure that Europe is a safe, secure place in which young women and men can develop and make free choices linked to their sexuality and gender identity.

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The Baltic Sea and relations with the local region

IN LITHUANIA, ONLY A THIRD of all women aged 14–44 use contraceptives and the **right to abortion** is under continuous threat. Teenage pregnancy is three times more common in Lithuania than in Sweden. In Latvia, the proportion of people who are HIV positive is six times higher than just nine years ago. In the relations with the Baltic States, much would be gained if sex education, guidance centres for young people, and individual freedoms and rights were on the agenda.

The restrictive Abortion Act in Poland has been in place since 1993. Abortion is permitted if a woman's life or health is in danger or if there is suspicion that the pregnancy is "the result of a crime". Many attempts are made to restrict the right, both legally and practically.

Recently the European Court of Human Rights ruled against Poland when a woman was denied the right to appeal a ruling that denied her an abortion, although she risked visual impairment if she completed her pregnancy. The Polish State was found to be in breach of human rights, but the woman was forced to complete the pregnancy and went blind.

The LGBT movement in the Baltic region encounters conservative moral resistance every day. Peaceful demonstrations have been banned, gay clubs have been closed, and politicians have made powerfully homophobic statements.

For example, Lithuania is worst among the countries of Europe in terms of acceptance of LGBT people. Among other things, the Lithuanian parliament has put forward a proposal for sexual orientation to be removed as a ground from the antidiscrimination legislation that Lithuania currently has. This is an active measure that means that discrimination will be sanctioned and make the lives of LGBT people considerably worse. In Poland, similar bills have been proposed, for example banning "homosexual propaganda" and homosexuals from working as teachers.

Sweden is one of the countries in Europe in which hundreds of women and children are subjected to **human trafficking for sexual purposes** every year. Most come from the Baltic States, Eastern Europe and Russia, and they are forced into prostitution, mainly in Stockholm, Malmö and Gothenburg. However, human trafficking also occurs in smaller places and rural districts.

THE 09 NETWORK URGES THE GOVERNMENT TO:

→ direct sharp criticism at the countries in the EU that commit breaches of human rights and, in particular, to highlight breaches linked to sexual and reproductive rights.

→ increase cooperation in the Baltic region aimed at exchanging experience on how the countries reduce the spread of HIV and other

sexually transmitted diseases and work to prevent unwanted pregnancies.

→ ensure that the cooperation with the Baltic region focuses in particular on combating human trafficking.

{4} THE 09 NETWORK'S PERSPECTIVE ON SWEDEN'S PRIORITIES continued

Climate change, the environment and energy

Worsened environmental conditions and natural disasters affect men and women, boys and girls differently.

CLIMATE CHANGE INCREASES the risk of more people becoming **environmental refugees** to avoid, for example, floods, drought or areas affected by hurricanes. Being a refugee always involves vulnerability, and access to contraceptives, condoms and sanitary towels, for example, deteriorates dramatically.

Many women and children are subjected to sexual violence or forced into prostitution in refugee situations. In addition, the absence of health care services in refugee camps makes pregnancy and childbirth very risky, and the number of unsafe abortions rises. Humanitarian aid calculations seldom include the increased need for prevention and care, including supplies related to SRHR.

The **population of the world** increased from 2.5 billion in 1950 to 6.2 billion in 2006. Fertility is highest in poor countries and among poor people in these countries. People with limited financial resources are also those who have the least access to information, contraceptives and advice, and thus the worst opportunities to plan whether and when they want to become parents. In Africa, the population increased from 215 million in 1950 to 924 million in 2006. This figure is expected to double by 2050.

Poor people in poor countries are the ones most affected when soil and water are ruined and when **shortages of food** and **clean drinking water** get worse.

THE 09 NETWORK URGES THE GOVERNMENT TO:

➔ **counteract the negative consequences for human rights, including sexual and reproductive rights, that climate change and environmental disasters may entail, for example in connection with environmental refugees.**

➔ **work actively to ensure that the EU increases the proportion of financial resources designed to boost poor people's access to information, advice and contraceptives to give them the opportunity to plan the number of children they have.**

**NETWORK-09
CONSISTS OF:**

Afrikagrupporna

www.afrikagrupporna.se

Amnesty International

www.amnesty.se

Forum Syd

www.forumsyd.se

**Kvinna till Kvinna
(The Kvinna till Kvinna Foundation)**

www.kvinnatillkvinna.se

RFSL

(The Swedish Federation for LGBT Rights)

www.rfsl.se

RFSL Ungdom

**(The Swedish Youth Federation
for LGBT Rights)**

www.rfslungdom.se

RFSU

**(The Swedish Association
for Sexuality Education)**

www.rfsu.se

Svalorna Latinamerika

www.svalorna.se

Sveriges Kvinnojourers Riksförbund

www.kvinnojour.com