

Sweden's Fourth Periodic Report to the UN Committee on the Rights of the Child 2002–2007



REGERINGSKANSLIET

**Government Offices
of Sweden**

CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1-4	4
I. General measures of implementation	5-55	5
Independent monitoring	5-9	5
Implementation, coordination and evaluation	10-22	6
Child statistics	23-30	9
Training in and dissemination of the Convention	31-45	11
Cooperation with the civil society	46-49	14
International development cooperation	50-53	14
Child policy and its goals	54-55	15
II. Definition of the child	56-58	15
III. General principles	59-99	16
Non-discrimination	59-69	16
Best interest of the child	70-77	18
Right to life and development	78-85	20
Respect for the views of the child	86-99	22
IV. Civil and political rights	100-114	25
Access to information	100-108	25
Children and library operations	109	27
Action against pornography	110-114	27
V. Family environment and alternative care	115-142	28
Parenting support	115-117	28
Illicit transfer and non-return of children abroad	118-125	29
Alternative care	126-135	31
Children witnessing violence	136	33
Children and intercountry adoptions	137-140	33
Children with parents deprived of liberty	141-142	34
VI. Basic health and welfare	143-206	35
Health and health care services	143-159	35
Youth health	160-183	38
Work to combat female genital mutilation	184-186	42
Child health and environment	187-193	43

Child welfare	194–203	45
Child perspective in metropolitan policy	204–206	47
VII. Education, leisure and cultural activities	207–229	48
Bullying	207–210	48
Education	211–219	49
Cultural policy from a child perspective	220–229	52
VIII. Special protection measures	230–286	53
Unaccompanied children	230–239	53
Family reunification	240–241	56
Sexual exploitation, human trafficking	242	57
Protection against abuse via the Internet	243–246	57
Combating human trafficking	247–253	58
Action against sexual offences against children and child pornography	254–263	59
National action plan against sexual exploitation of children	264–266	62
Other protection against abuse	267	62
Crimes against children to be investigated under the same roof	268	63
Legal protection for young people	269–275	63
Children who have been deprived of their liberty, including all forms of detention, imprisonment or compulsory care	276–280	64
Protection against abuse and neglect	281–286	65
IX. The optional protocols to the Convention on the Rights of the Child	287–288	66
X. Follow-up and dissemination	289–292	67
Further work on the recommendations of the Committee on the Rights of the child	291–292	67

Introduction

1. In accordance with Article 44.1 of the Convention on the Rights of the Child (CRC), Sweden presents its Fourth Periodic Report on measures to put the Convention into effect. This report takes into account the Committee on the Rights of the Child's Revised Guidelines for periodic reporting, issued by the Committee in June 2005.
2. The report has been prepared at the Swedish Government Offices with the participation of representatives from all ministries. It has been compiled by the CRC Coordination Office at the Ministry of Health and Social Affairs. The contents deal in particular with the issues raised by the Committee on the Rights of the Child in its Concluding Observations from 2005, CRC/C/125/Add.248. The Government has proceeded on the principle that the analysis and recommendations of the Committee summarise the issues that Sweden, despite considerable progress, should prioritise in order as far as possible to live up to its obligations under the CRC. The report also deals with developments in certain areas that the Government considers are relevant to Sweden and have a particular bearing on the implementation of the CRC in Sweden. In other respects, the report refers to Sweden's previous reports as regards matters that have already been discussed there.
3. Sweden's report concentrates on the initiatives that the Government and government authorities have implemented over the last five years. Where relevant, the report also discusses the work of other child rights actors, such as municipalities and county councils, foundations and NGOs. The information about the work of the municipalities and county councils in implementing the CRC has not been obtained directly from these bodies but is largely based on the reports submitted by government authorities to the Government, the experience and knowledge that the Children's Ombudsman has gained in the course of various initiatives targeting municipalities and county councils, and work coordinated by the Swedish Association of Local Authorities and Regions.
4. In preparing this report, the Government has organised meetings with representatives of children's and child rights organisations. Questions concerning the implementation of the CRC are also regularly raised at meetings with children and young people. Views that have emerged in the meetings with NGOs and with children and young people have been taken into account when drawing up this report. The Children's Ombudsman has also contributed opinions to the report. The results of various surveys conducted by the Ombudsman among children and young people have also been considered, when appropriate, as have proposals from the Ombudsman's annual reports. The report will be published on the Government's human rights website and distributed in written form to municipalities, county councils, relevant government authorities, interested parties within civil society and to the public generally through distribution to libraries.

I. General measures of implementation (Articles 4, 42 and 44.6 of the CRC)

Independent monitoring

5. The Committee on the Rights of the Child considered that further improvements could be made to the mandate of the Children's Ombudsman, among other things by giving the Ombudsman powers to investigate individual complaints. Furthermore, the Ombudsman's annual report could be presented to the Riksdag (Parliament), together with information about measures the Government intends to take to implement the recommendations of the Children's Ombudsman.

6. *The Children's Ombudsman has a key role in efforts to put the CRC into effect* and should lead the way in developing knowledge and methods for the Convention's realisation and implementation. The role of ombudsman includes moulding public opinion on the rights of the child and participating in public debate. In its role as a government authority, the Children's Ombudsman is intended to actively push forward CRC work among municipalities, county councils and government authorities and, in the course of this work, provide methodological support, draw attention to good examples, stimulate exchange of experience and continuously follow up, analyse and evaluate the implementation of the CRC. The new legislation, which aimed to strengthen the Children's Ombudsman and clarify the role of ombudsman, has now been in force for five years. Developments have shown that there are still certain difficulties in bringing together the ombudsman and public authority roles within one organisation. Among other things, these roles are based on different principles of government control and involve delimitation problems, which in turn create ambiguity regarding who the Children's Ombudsman represents in different contexts. The Children's Ombudsman has also pointed out that some imbalance has been created in the allocation of resources and prioritisation, which affects the scope for action by the Ombudsman.

7. The Government has decided to carry out *a review of the public authority structure in the area of child policy*. The Swedish Agency for Public Management has been instructed to carry out this review, which is motivated by the inadequacies in the way the Children's Ombudsman is currently set up, the Swedish National Audit Office's examination¹ of strategic CRC work (see also below under item 9) and the analysis presented by the Committee on the Rights of the Child in its latest concluding observations. One starting point for this assignment is to review the mandate of the Children's Ombudsman as ombudsman and the activities conducted by the ombudsman as a public authority. In this context, the Swedish Agency for Public Management is also to consider issues falling outside the activities of the Children's Ombudsman but that relate to the rights and interests of children and young people and where there is a need for coordination. On the basis of this review, the Swedish Agency for Public Management is to make proposals on the management and organisation of child policy and analyse the advantages and disadvantages of various alternatives.

¹ The Convention on the Rights of the Child in practice, RIR 2004:30.

8. The Children's Ombudsman's annual report is addressed to the Government. The annual reports and the proposals they contain provide a basis for preparatory work in developing the Government's child policy. The procedure recommended by the Committee is not in line with the usual practices for communication by the Government or public authorities with the Riksdag. The report is already distributed to members of the Riksdag by the Children's Ombudsman.

9. The *Swedish National Audit Office* is one of the instruments of parliamentary supervision. Its mandate is to examine government activities so as to contribute to the sound use of resources and efficient government administration. In autumn 2004, the Swedish National Audit Office examined *whether the Government and government authorities had complied with the National Strategy for the implementation of the Convention on the Rights of the Child,² along with the information provided by the Government to the Riksdag.³* The Swedish National Audit Office concluded that the Government had taken numerous measures to put the CRC and the approved Strategy into effect. It also noted increased interest among government authorities and municipalities in obtaining help in developing their activities in the area. However, the review also indicated that so far, the Government, public authorities and municipalities had not fully complied with the requirements or realised the goals set out in the Strategy approved by the Riksdag. In view of this, the Swedish National Audit Office submitted a number of recommendations to the Government. These recommendations are important points of departure for the Government's ongoing work to develop effective tools, policy instruments and follow-up instruments for child policy.

Implementation, coordination and evaluation

10. The Committee felt concerned about weaknesses in the coordination between municipalities, county councils and ministries of policies related to the implementation of the Convention and recommended a standing structure for coordination of the actions of all actors at all levels.

11. Under its statutory powers, *the Children's Ombudsman is to act as a driving force in the work of implementing the CRC in Sweden.* At the request of the Ombudsman, administrative authorities, municipalities and county councils must provide information to the Ombudsman about the actions taken to implement the CRC. The work of the Ombudsman also involves providing information, enhancing awareness and following up different aspects of the implementation of the Convention at different levels, through seminars, conferences and questionnaires. The Ombudsman's website presents, among other things, various approaches for working with the Convention and other information aimed at ensuring quality in decisions relating to children.

12. The annual reports of the Children's Ombudsman to the Government summarise the issues that the Ombudsman considers to be of current interest for the implementation of the Convention. The report is also sent directly to the members of the Riksdag. The

² See Sweden's third periodic report (2002), items 27–29.

³ Ibid.

Children's Ombudsman's proposals, contained in both the annual reports and in other reports, analyses and questionnaires, are used as a basis for assessing measures under the Government's child policy.

13. The standing structure recommended by the Committee is alien to Swedish conditions and the prevailing administrative structure. It is also unrealistic to establish a structure that groups together a myriad of different public authorities and NGOs. It would involve 12 ministries with responsibility for almost 50 policy areas, hundreds of authorities, 290 municipalities, 20 county councils and about 45 voluntary organisations.

14. The Government is aware of the need for continuous and coordinated dialogue with relevant actors in society. In June 2005, the Government established a *Child Rights Forum*, a platform for structured dialogue between the Government and NGOs working with and for children. The Child Rights Forum has so far been composed of the Minister for Health and Social Affairs as chair, five State Secretaries and ten leading representatives from NGOs. In order to make its work more effective, the Government wants to develop the Child Rights Forum into a more open and inclusive platform for the actors involved, including children and young people themselves. The structure of a new Child Rights Forum is currently being worked out at the Government Offices.

15. For consultation and exchange of information on child issues in the field of migration policy, since 2003 there has been a *Council for Child-related Migration and Asylum Policy Issues*. The Council, which is led by the Minister for Migration and Asylum Policy, is made up of members with special expertise in child and refugee issues. The Children's Ombudsman, the Swedish Migration Board, *Rädda Barnen* (Save the Children Sweden), *Röda Korset* (Swedish Red Cross), UNICEF Sweden, BRIS (Children's Rights in Society), the Swedish Psychological Association, the Swedish Paediatric Society's working group for refugee children, the International Medical Program and the Swedish Association for Child and Adolescent Psychiatry are all represented. The Minister for Migration and Asylum Policy calls a meeting twice a year to discuss current issues relating to children in migration.

16. The coordinated dialogue with county councils and municipalities is also conducted through the Government Offices' CRC Coordination Office. This Office participates in the various networks already existing, for example the county council CRC network and the municipal partnership for implementation of the CRC (see below under item 19). The latter partnership has also received financial support from the Government for its operations. The Government is keen to continuously improve the efforts of the municipalities and county councils to implement the Convention. The ongoing review of the public authority structure in the area of child policy will constitute an important base for future work.

17. The CRC Coordination Office has established a *child rights network* at the Government Offices. A number of contact persons for CRC issues have been appointed at all ministries. The role of these contact persons is to help ensure that within their own particular policy areas, attention is given to the CRC in preparatory work on matters concerning children and young people. This group has been offered training in the CRC

and how it can be incorporated in their own work. Training measures regarding the CRC are also a recurrent component of the training provided to new employees at the Government Offices and to the participants of the Ministry for Foreign Affairs trainee programme.

18. The Children's Ombudsman regularly asks municipalities and county councils about their work with the CRC. The last survey was conducted in 2005 and was answered by virtually all municipalities and all county councils. The results show, among other things, that there is a great need for skills development among municipalities and county councils, but that sufficient resources have not been allocated to skills development in relation to needs. Among county councils what is required is primarily continuing education regarding means of influence and child impact analyses, and on the implementation of the CRC within their own activities. There is great commitment and willingness on the part of municipalities and county councils to work with the CRC. The questionnaire results show, among other things, that 70 per cent of municipalities have made management-level decisions about the CRC and have such goals in their policy documents. The same applies to most of the 20 county councils.

19. One example of the positive trend in the work of the municipalities with the rights of the child is the *Municipal Partnership for Implementation of the CRC*, which was established in 2005. Twelve municipalities⁴ have decided to enter into close collaboration regarding the implementation of the CRC in municipal activities. The Government has encouraged the establishment of the partnership and also made funds available for coordination of the partnership's activities. One important result of work within the partnership is the implementation of a 'peer review' system among the municipalities. This has involved both critical analysis and exchange of experience aimed at implementing the CRC.

20. A child rights network has been established within the Swedish Association of Local Authorities and Regions (formerly the Federation of Swedish County Councils). The heads of operations at all of the 20 county councils, together with other specialists in child health and in the implementation of the CRC, meet several times each year. The activities of the network are oriented towards disseminating good working methods and promoting the rights of the child within the work of the county councils. Representatives from the CRC Coordination Office and the Office of the Children's Ombudsman, and when required from other authorities, participate both in the activities of the municipal partnership and in the periodic meetings of the county council network. These meetings constitute a forum for ongoing skills development and exchange of experience.

21. In the spring of 2006, the Government pursued a campaign under the heading "A Sweden for Children". This initiative comprised local seminars for both municipal decision-makers and officials, and children and young people, parents, NGOs and the private sector. The aim was to encourage local work on the rights of the child, to identify needs and opportunities in local CRC-related work and to enhance the participation and

⁴ Borlänge, Gunnared City District in Göteborg, Gävle, Haninge, Kalmar, Karlskoga, Västerås, Sigtuna, Trelleborg, Uppsala, Örebro, Östersund.

influence of children at municipal level. The Children's Ombudsman has also arranged regional conferences to disseminate successful working methods for the rights of the child, in both 2005 and 2007.

22. For several years now, the Minister for Health and Social Affairs has had a *child reference group*, comprising 40–50 girls and boys aged 13–18 with different backgrounds from various parts of Sweden. The aim of the group is that it should constitute a forum for annual recurrent dialogue between the minister, officials at the Government Offices and the reference group regarding important and current issues relating to children and young people. This group met in April 2006 for a four-day meeting, which concluded the Government's initiative "A Sweden for Children" (see above under item 21). Both ministers and officials from the Government Offices participated in the meeting. At the meeting, current social issues were discussed and the views of the participants were documented in a paper that has been disseminated in the first instance to decision-makers at various levels of society.

Child statistics

23. The Committee recommended a coordinated approach to gather statistics on children and a comprehensive system for statistics on all areas of the Convention. Statistics regarding children with disabilities should also be gathered and sorted according to kind of disability, data on children exposed to abuse should be separated from corresponding data on adults, and the number of children who have been subjected to sexual exploitation should be specified more precisely.

24. In 2005, the Government appointed a *working group with instructions to develop indicators* to measure and follow up initiatives in the area of child policy. A final report of this working group provides proposals on a follow-up system based on the obligations resulting from the CRC. On the basis of the records available and sample surveys, the working group proposes a number of indicators that describe developments in the living conditions of boys and girls, for example as regards their health, standard of living, participation and vulnerability. The indicators have been developed mainly for follow-up at national level. A small number of indicators also allow comparisons between different municipalities and county councils. However, the statistics on children's living conditions need to be developed at local level as the opportunities for local and regional comparisons are at present limited. The proposal has undergone the formal consultative procedure and further work to prepare the matter will be conducted during the autumn of 2007.

25. The Government agrees with the Committee's opinion on the importance of child statistics being improved to support public work to improve the conditions of life of girls and boys. The National Board of Health and Welfare already has the opportunity of gathering individual-based statistics for measures under the Social Services Act⁵ and the Act concerning Support and Service for Persons with Certain Functional Impairments.⁶ The individual-based statistics provide, for instance, information about the extent to

⁵ Swedish Code of Statutes - SFS 2001:453

⁶ Swedish Code of Statutes - SFS 1993:387

which an individual person receives support and the extent to which support is given under different statutory provisions. In the Government Bill, Development of the Social Services for Children and Young Persons,⁷ advance notice has been given of an assignment to the National Board of Health and Welfare aimed at improving the statistics.

26. As regards children with disabilities, there is however a risk that too far-reaching a disaggregation of data in relation to the type of disability may violate the integrity of the individual. The Government has therefore chosen to compile information about the living conditions of children with disabilities by other means. For instance, within the framework of sectoral responsibility for disability policy, the National Board of Health and Welfare has been instructed to produce a system to describe on an ongoing basis the living conditions of people with various disabilities. In 2010 there will also be a follow-up system for rehabilitation and habilitation.

27. Statistics covering children and their living conditions are compiled and administered by a multitude of different authorities. There are 25 authorities with statistical responsibilities, including Statistics Sweden (SCB), which compiles child statistics. SCB is responsible for cross-sector statistics while other authorities are responsible for the statistics lying within their area of activities. At the authorities whose statistics in some way concern children, the conditions of children should be indicated by the statistics reported.

28. SCB has been commissioned by the Ministry of Health and Social Affairs to produce annual statistics on the living conditions of children. This assignment includes the production of an annual publication "Children and their Families", and the production of reports dealing with special issues. In 2002 SCB published "The child's share of the cake – welfare and poverty among children", in 2004 "The child's time with parents" and in 2007 the report "Children, housing segregation and education results". The report "Children and their families" contains a large amount of statistical data about children and their families. A new component for the 2004 report is the data from the Living Conditions Survey (ULF) in which children aged from 10-17 have themselves reported on their financial standard, time with parents and family circumstances. Furthermore, every third year the Children's Ombudsman and Statistics Sweden issue a summary of statistics on children, "Up to 18". This publication has taken place since 1995.

29. In its appropriation directions for 2005, the National Board of Health and Welfare was directed to report *statistics on intentional violence to children* on a 1-year and 5-year basis. The report from December 2005 includes data on the number of children who have died during the last five years as a consequence of assault by another person (32 children), who were discharged from hospital after treatment as a consequence of assault (1 295 children) and the number of children who have sought care at an emergency centre or emergency clinic (approximately 2 500 children per year).

⁷ Government Bill 2006/07:129

30. As of the spring of 2007, the National Council for Crime Prevention (BRÅ) has introduced new offence codes for sexual offences under Chapter 6 of the Swedish Penal Code. The new codes refer, among other things, to sexual offences against children aged under 15 and against children aged 15 to 17. Through these codes it is possible to discern sexual offences against children of certain ages reported to the police.

Training in and dissemination of the Convention

31. The Committee has sought adequate and systematic training as well as enhanced attention to the rights of the child both among children and among professional groups working with and for children.

32. The Children's Ombudsman has the assignment of disseminating information about and increasing the attention given to the rights of the child. One example of this work is the Ombudsman's publication "*Explain what is happening*". It has come to light that young people participating in trials do not always understand what is happening during the course of the trial. On the basis of the experience of the young people themselves, this publication provides advice and tips on how trials could, with limited means, be better adapted to the situation of young people. This publication can serve as a tool for judges, prosecutors and attorneys participating in legal proceedings where children under 18 are involved as victims, perpetrators or witnesses. Another publication issued by the Children's Ombudsman is "*Equipped for Auditing*". This is primarily targeted at auditors in municipalities and county councils. The aim is to get auditors to examine whether decision-makers at local and regional level live up to their own ambitions.

33. Using special funds from the Government, the Children's Ombudsman has produced and distributed information material on the CRC oriented towards girls and boys aged 5–9, 9–13 and 13–16. There is also guidance for adults linked to this information material. This material has been produced in close dialogue with girls and boys in the various age groups. The material has also been made available to, among others, children with visual impairments and children with reading and writing difficulties. The Government has allocated in total just over SEK 2 million to this work.

34. As of 1 July 2007, new provisions apply to higher education qualifications. To be awarded a degree in education, students must, among other things, demonstrate their knowledge of and ability to convey and embed the basic values of society and democracy as well as regulations that prevent and counteract discrimination and other degrading treatment of children and pupils. Students of education must also demonstrate the ability to make assessments, paying particular attention to human rights.

35. *The CRC is taken up in a large number of different educational programmes.* It is particularly common for training in the Convention to form part of the teacher education programmes. Training in the CRC is also very common in healthcare and medical programmes. It is also included in humanities and social science areas, and similarly in certain artistic programmes. The CRC is often part of the mandatory course literature and several universities and university colleges state that the Convention is viewed as an important policy document.

36. The University of Örebro has been directed by the Government to test an operation offering *tailor-made courses for professional groups working with or for children – The Swedish Academy on the Rights of the Child*. This operation will also gather knowledge about scientific research currently in progress regarding children and child rights issues. The University of Örebro is cooperating in this operation with the Municipality of Örebro, Örebro County Council, the National Board for Youth Affairs, the Children’s Ombudsman, the Swedish Association of Local Authorities and Regions, the Swedish Children’s Welfare Foundation and the Ministry of Health and Social Affairs. In order to disseminate knowledge on how the CRC can be integrated into higher education, the Academy on the Rights of the Child has also been directed to arrange a national conference, which will take place in the autumn of 2007.

37. The Government has initiated and financed work to produce a *Swedish Handbook on the Implementation of the CRC*. This Handbook will be an aid in interpreting the CRC for decision-makers, politicians, officials and other interested parties. It will also contribute to creating uniformity regarding the interpretation of the Convention and of what is required to live up to the obligations that the Convention involves. The Government has granted SEK 1.7 million to UNICEF Sweden for the work of producing the Handbook, which is expected will be completed in the autumn of 2007.

38. Sections on the CRC and segments on the child in the legal process are included both in the *courses for newly appointed judges* (Judge Course IV) and in the courses included in the *judge training programme* (Assistant Judge Course I). One of the units in the obligatory training for newly appointed judges has been given a clear orientation towards child issues and includes, among other things, themes such as violence and abuse of children, child assault, sexual abuse and the Children’s Ombudsman’s examination of how Sweden lives up to the CRC. In 2005 and 2006, Judge Course IV has been held three times and 82 judges have participated in the course. Assistant Judge Course I has been run five times and 161 participants have attended the course.

39. Within the Swedish Courts a project has been conducted during the years 2004–2006 focusing on the *specialisation of judges in handling cases relating to children and families*. One of the aims of the project has been that there should be one or more tried and tested models of specialised units in handling cases relating to children and families, that can be used at courts in the new district court organisation for the County of Stockholm. Furthermore, the project is intended to produce a model for the enhancement of such skills among judges and other staff.

40. At the *Swedish Prosecution Authority*, there is a special section responsible for training operations conducted by the authority. These can be divided into basic training for all prosecutors and advanced training, in which certain prosecutors participate. During the basic training there is a section specifically devoted to the CRC. Every year about 40 prosecutors attend this basic training. There is also a section in the advanced training – “Young People and Crime” – which deals with the CRC. About 40 prosecutors attend this course every year.

41. With the aim of providing prosecutors with guidance and support when processing preliminary investigations relating to abuse of children, the Swedish Prosecution Authority prepared a *handbook* in May 2006. There is a special section in the handbook on the CRC. The handbook is available on both the internal and the external website of the Swedish Prosecution Authority. Since the autumn of 2004 the authority has arranged a course: “*Abuse of children*”. One segment of this course is a reading of the above-mentioned handbook. The course is held twice a year with about 20 participants per course.

42. The National Police Board has commenced work on a *national strategy to combat offences in close relationships*. The strategy will apply up to and including 2009 and will include offences against closely related persons, including offences against children. This strategy will affect areas such as training of staff, dealing with people, collaboration and processing of matters.

43. The National Police Board has been instructed by the Government in 2007 to ensure that every police authority has access to *advanced skills to prevent and investigate violence by men against women and violence against children*, for example in the form of special family violence units collaborating closely with prosecutors, social welfare services and others. The National Police Board will also implement measures to ensure that all staff who investigate matters involving children as victims of crime undergo training that is specially adapted to such tasks.

44. In the spring of 2005, the Government arranged a national conference on *child skills in the health and medical care service*. Just over 280 participants, including politicians, heads of services and officials, were offered an opportunity during this conference to discuss successful working methods and exchange experience for meeting the specific needs of children in the health and medical services. The conference was documented by means of the publication *Meeting the Child – Child Skills in the Health and Medical Care Services*. This documentation has been disseminated both among health and medical care staff and among the politicians and heads of services at municipalities and county councils involved.

45. According to the information available to the Government Offices, the CRC and the Universal Declaration on Human Rights are the best-known human rights instruments among the general public. As regards to children’s knowledge of the CRC and its contents, a questionnaire survey conducted by the Children’s Ombudsman reveals a more sombre picture. Only 28 per cent of the just over 1 000 children, aged 10–15, who participated in the survey had heard of the Convention, 21 per cent knew what the Convention related to and 14 per cent thought that they were sufficiently aware of the contents of the Convention. Even if it is difficult to measure whether the spirit of the Convention is sufficiently well known among children through a questionnaire survey, the results cannot be regarded as satisfactory. The Government considers it to be a challenge to enhance knowledge about the Convention among children of all age groups, through new methods of approach and strategic initiatives, primarily on the part of the Children’s Ombudsman and the education authorities.

Cooperation with civil society

46. The Committee recommended that cooperation with NGOs be systematised and structured.

47. In 2005 the *Child Rights Forum* (see above under item 13) was established to systematise and structure contacts with the NGOs.

48. Ministers with responsibility for the relevant policy areas participate in a dialogue with children and the NGOs included in the *Network on the CRC*. The Network arranges an annual ‘hearing’ with the Government regarding the implementation of the CRC in Sweden.

49. The property of a deceased person, where there is no spouse or close relatives and where there is no written will, passes to the National Inheritance Fund. *The Inheritance Fund Commission* is the authority that decides on how this money will be used. *The Inheritance Fund financially supports not-for-profit organisations* and other voluntary associations that wish to try new ideas to develop operations for children, young people and people with disabilities. The Inheritance Fund supports operations that improve the position in society of children, young people and people with disabilities. The CRC is the mainstay of the Inheritance Fund’s initiatives regarding children and young people. All decisions and all operations are based on it. During the period 2002–2006, the Inheritance Fund Commission has granted support to projects focusing on the living conditions of children as follows:

2002	2003	2004	2005	2006
SEK 61 m	SEK 56 m	SEK 62 m	SEK 71 m	SEK 58 m

International development cooperation

50. The Committee recommends that Sweden takes account of the Committee’s concluding observations in its bilateral cooperation with developing countries.

51. The rights of the child are a central issue in Sweden’s *international development cooperation* as laid down in the Policy for Global Development. Adopting a rights perspective and a perspective of the poor is central in this policy. The CRC must permeate this cooperation at both multilateral and bilateral level.⁸ The work with the rights of the child is based on the Millennium Development Goals, which the UN Member States have undertaken to achieve no later than 2015. The most relevant of these for Sida’s child rights work are eradicating extreme poverty and hunger, achieving universal primary education, reducing child and maternal mortality and combating HIV/AIDS, malaria and other diseases.

⁸ Government Bill 2002/03:122 Common responsibility: Sweden’s policy for global development, Communication 2001/03:186 A child rights perspective in international development cooperation.

52. The Committee's concluding observations for the Philippines have been taken into account within the framework of the cooperation between the Children's Ombudsman and the Philippine State Commission for Human Rights. The Committee's conclusions are also raised within the framework of the Children's Ombudsman's training programme for participants from Africa, Asia and Latin America. Sweden has a longstanding and vast cooperation with UNICEF and within the framework of that cooperation, Sweden works to ensure that UNICEF's engagement in various countries is linked to the country specific comments from the CRC-committee. Sweden's contributions to international development cooperation have, among other things, resulted in approximately 2 000 demobilised child soldiers in Colombia, child-friendly instruction in almost 150 schools in Laos and support to young mothers and to young offenders in Mali.⁹

53. At the same time, it can be observed that a lot of work remains before the child rights perspective will be completely integrated into operations.¹⁰ The rights of the child need to be introduced into the dialogue with other governments and partners more systematically than has occurred to date. Other challenges involve combating HIV/AIDS on the basis of a child rights perspective and influencing other stakeholders towards including the rights of the child in their work with national plans to reduce poverty in developing countries.¹¹

Child Policy and its Goals

54. The Government Child Policy is cross-sectoral (see further CRC/C/125/Add.1, items 23–26). On the basis of the fundamental principles contained in the CRC, the orientation of child policy is:

- that no child may be discriminated against owing to race, colour, national, ethnic or social origin, sex, religion, functional disability or similar reasons,
- that the best interests of the child are to guide decision-making and all measures relating to children and young people,
- that children and young people are to be allowed to develop at their own pace and on the basis of their own capacity,
- that children and young people are to be given opportunities to present and obtain respect for their views on matters relating to them.

55. A follow-up system for child policy has been prepared at the Government Offices. This follow-up system has the CRC as its basis (see above under item 24).

II. Definition of the child (Article 1)

56. According to information from Statistics Sweden,¹² just over 20 per cent of the population of Sweden, almost two million individuals, were under 18 in 2005. Of these, about 942 000 were girls and about 992 000 were boys. The number of children at various

⁹ Sida, Effects of a child rights perspective, April 2006.

¹⁰ Ibid.

¹¹ Ibid.

¹² Statistics Sweden, Children and their Families 2005.

ages varied widely. There were for example 130 000 five-year-olds but only 91 000 six-year-olds. Of all children, five per cent were born abroad and 10 per cent were born in Sweden to parents who were both born abroad. 10 per cent of all children had a parent born abroad and one who was born in Sweden. Taken overall, 25 per cent of all children had a link to some country other than Sweden.

57. Sweden has no centralised statistics based on ethnicity, religion or disability. Nor are there any overall statistics regarding children living in cities and in the country.

58. Otherwise we refer to Sweden's previous periodic reports, particularly to CRC/C/125/Add.1, items 132-142.

III. General Principles (Articles 2, 3, 6 and 12)

Non-discrimination

59. The Committee was concerned about the occurrence of racism, particularly at schools, and recommended measures to combat racism and xenophobia, including measures within education.

60. The *Swedish education system places great emphasis on issues of democracy, equality and human rights* in, among other things, preschool activities, childcare for schoolchildren and school. These services should actively work to promote fundamental democratic principles such as the equal value of all people regardless of race, colour, sex, ethnic belonging, religion or other religious belief, sexual orientation or disability, and for the right of everyone to express themselves and be respected for their opinions.

61. The *Act prohibiting Discrimination and other Degrading Treatment of Children and School Students*¹³ entered into force on 1 April 2006. The purpose of this Act is to promote the equal rights of children and pupils in those services that are subject to the Education Act and counteract discrimination because of sex, ethnic belonging, religion or other religious belief, sexual orientation or disability. The Act also has the aim of counteracting other degrading treatment such as for example bullying. Under the Act, the body responsible for the service in question shall, among other things, ensure that there is an equal treatment plan for every service to promote the equal rights of children and pupils and also prevent and impede harassment and other degrading treatment. This plan is to be followed up and reviewed annually. The head of the institution or corresponding is to investigate harassment and other degrading treatment complained about and implement such measures as may be required to prevent continued degrading treatment. The Child and School Student Representative (BEO) at the National Agency for Education, the Equal Opportunities Ombudsman, the Ombudsman Against Ethnic Discrimination, the Ombudsman Against Discrimination Because of Sexual Orientation and the Disability Ombudsman are responsible, within their respective areas of responsibility, for supervision regarding the Act.

¹³ Swedish Code of Statutes - SFS 2006:67, appendix 1

62. This legislation also provides new conditions to combat *discrimination and harassment when this for instance relates to sexual orientation*. The bodies responsible for both private and municipal services may be liable to pay damages to children or pupils exposed to degrading treatment. The liability of the responsible body also applies to other injury – that is to say, personal injury or property damage. The Act prescribes a duty to act for all people at the school who hear about the occurrence of harassment or other degrading treatment. The obligation to investigate the situation and to act to prevent degrading treatment in the future applies regardless of whether it is the pupil suffering such treatment who reports it or whether it has come to light in another way that the pupil has suffered such treatment. When the staff at a school does indeed verify that degrading treatment has occurred, their work must be oriented towards preventing its continuation. The Act provides pupils with strong legal protection. It can function as a spur to the bodies responsible to seriously work actively and in a goal-oriented way to ensure that all pupils are treated as individuals of equal value and on equal terms at school.

63. The Committee has requested information about what measures and programmes relevant to the Convention have been undertaken to follow up on the Declaration and Programme of Action adopted in 2001 at the UN World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

64. In 2001 the Government presented a *National Action Plan Against Racism, Xenophobia, Homophobia and Discrimination*. This plan contained the measures undertaken against racism, xenophobia, homophobia and discrimination on grounds of ethnic belonging and sexual orientation, as well as the applicable legislation in the area. The Action Plan also contained a number of new initiatives. The Ombudsman Against Ethnic Discrimination has, for example, been instructed to implement long-term and strategic work to prevent and counteract discrimination against Roma. Furthermore, operations helping young people who wish to leave racist and other similar groups have been given further financial support. In 2001–2003, SEK 30 million was allocated to develop youth associations' local work against racism.

65. The Government's long-term goal in national work with human rights is to ensure full respect for these rights. In 2006, the Government presented a new *National Plan of Action for Human Rights 2006–2009*,¹⁴ in which work to influence attitudes and educational initiatives were emphasised as priority measures oriented towards both the general public and to public sector operations. This work also includes measures to enhance awareness and knowledge about the rights of the child.

66. In March 2006, the Government appointed a *Delegation for Human Rights in Sweden*, which is intended to support work on ensuring full respect for human rights in Sweden.¹⁵ Support is offered to, among others, government authorities, municipalities and county councils and the Delegation also coordinates the implementation of information initiatives oriented to specific target groups and to Swedish society generally.

¹⁴ Communication 2005/06:95.

¹⁵ Directive 2006:27

67. *Forum for Living History* is an authority that works with issues relating to democracy, tolerance and human rights, proceeding from the Holocaust. Cultural operations, seminars, lectures and debates are arranged through communicating and accumulating knowledge. At the end of 2004, the Forum for Living History and the National Council for Crime Prevention presented a survey of the attitudes of 10 600 young people regarding anti-Semitism, Islamophobia, homophobia and hostility towards immigrants – *The Intolerance Report*. This material has been disseminated via the Internet, in several different languages and in an easy-to-read version, so as to reach out to a broad public. Study and teaching material for work in the classroom has also been made available. Teacher seminars, debates and seminars oriented towards the public, young people, teachers and decision-makers have been held. Programmes and discussions focusing on anti-Semitism, Islamophobia and homophobia are run on a continuous basis under the auspices of the authority.

68. *Constitutional Protection Against Discrimination*. Since 1 January 2003, the constitutional law of Sweden (the Instrument of Government, Chapter 1, Article 2) lays down that “The public institutions shall combat discrimination of persons on grounds of gender, colour, national or ethnic origin, linguistic or religious affiliation, functional disability, sexual orientation, age or other circumstance affecting the private person”. The inclusion of the term ‘age’ in this list emphasises that discrimination against older people should be combated, and similarly that children should be treated as equal individuals and that they should be entitled, according to their level of development, to have a say in matters that affect them.¹⁶

69. Another challenge for Swedish society is the situation of Roma children. A survey conducted by the Children’s Ombudsman in 2004 among young Roma shows, among other things, that adults at school have prejudices towards them and that education in their mother tongue is not given priority. These young people often feel that they are discriminated against in shops and are dissatisfied with the picture of Roma in the media.

Best interests of the child

70. The Committee was concerned about insufficient regard being given to the best interests of the child in asylum proceedings and recommended measures to ensure the implementation of the principle of the best interests of the child in asylum cases, among other things, by reforming the guidelines and procedures of the Swedish Migration Board.

71. The starting point for the Swedish asylum process is that children who come to Sweden to seek asylum should be met by a humane and legally secure asylum system and that they should have their applications considered by a process in which their voice is heard and their needs are taken into account. Those who need protection should have a haven in Sweden. It is just as important that those children who are not in need of protection, and do not have any other reasons for staying in Sweden either, should have the opportunity of returning to their home countries in a dignified way. According to the

¹⁶ Government Bill 2001/02:72, Amendment of the Instrument of Government – EU cooperation, etc.

‘core provision’ contained in Chapter 1, Section 10 of the Aliens Act¹⁷ on the best interests of the child, in cases involving a child, particular attention must be given to the child’s health and development and the best interests of the child in general. However, attention to the interests of the child cannot be given such a broad meaning that the quality of being a child alone constitutes a criterion for a residence permit being granted. Nor can the provision be interpreted so sweepingly as to mean that a residence permit should be granted to children solely because they will have better education, rehabilitation and care opportunities in Sweden than in their home country. Such an interpretation would violate the objectives laid down by the Riksdag for migration policy. Nor is it possible to lay down a general rule regarding how serious, for instance, an illness must be to warrant a residence permit. Each child must be, and has the right to be, assessed individually.

72. A new Aliens Act entered into force in Sweden on 30 March 2006.¹⁸ The core provision on the best interest of the child was repeated, just as before, in the first chapter of the Act. The child perspective can also generally be said to have been given a more prominent place in the new Act than before. The provision on the child being heard, provided it is not inappropriate to do so, has been moved up to the first chapter. A new provision on *residence permits on grounds of particularly distressing circumstances* has been introduced. According to this provision, if a residence permit cannot be granted on other grounds, a permit may be granted if there are particularly distressing circumstances. When making this assessment a person’s health status, adaptation to Sweden and situation in their home country should be particularly taken into account. This provision also lays down that the circumstances referred to in the case of a child do not need to have the same seriousness and weight as required for an adult to be granted a residence permit.

73. Some years ago, a number of cases of *asylum-seeking children severe withdrawal behaviour*, referred to as ‘apathetic children’, were observed in Sweden. These cases increased dramatically during the years 2001–2005. The Government appointed a national coordinator in September 2004 with the task of, among other things, surveying and analysing the prevalence of children with these symptoms. The investigation continued for just over two years and was concluded in December 2006. Although no definite conclusions can be drawn as regards what causes the severe withdrawal behaviour, the final report of the coordinator shows that the number of children adversely affected had fallen greatly since 2005 and that cooperation between various stakeholders is of great importance as regards preventing these symptoms. The Government is monitoring developments and has reason to believe that the positive trend with a reduced number of adversely affected children will continue. This issue has been continuously raised within the framework of the Migration Minister’s *Council for Child-related Migration and Asylum Policy Issues* and discussed most recently at the Council’s meeting of 6 March 2007.

74. *The child rights perspective is also made clear in the Swedish Migration Board’s own guidelines and procedures.* Children’s cases are given priority by the Board and the

¹⁷ Swedish Code of Statutes - SFS 2005:716.

¹⁸ Ibid.

objective, as regards unaccompanied children, is that a decision should be made within three months. This can be compared with other cases where the objective is six months.

75. During 2003, cooperation was initiated between the Children's Ombudsman and the Swedish Migration Board in a project aimed at enhancing the quality of caseworkers' interviews with children. Lectures, seminars and practical exercises were offered to caseworkers at the Swedish Migration Board and their work resulted eventually in an interview guide, which is now used by child caseworkers at the Board. Further initiatives taken with the aim of enhancing skills in dealing with children at the Swedish Migration Board are reported under item 239.

76. There is also other substantive legislation that takes into account the principle of the best interests of the child. One example is the provisions of the Aliens Act in connection with deportation on the grounds of crime. *In the case of the deportation of a child's parent, regard should be taken to the child's need of contact with the parent, how the contact has been and how it would be affected by a parent being deported.* If necessary a statement is to be obtained from the social welfare committee regarding how the child will be affected by a possible deportation.

77. *The best interests of the child in the Care of Young Persons (Special Provisions) Act*¹⁹: in order to further improve the rights of the child in conjunction with compulsory care within social services, a provision was introduced in 2003 in the Care of Young Persons (Special Provisions) Act whereby the best interests of the child are to be a deciding factor when making decisions under the Act.

Right to life and development

78. The Swedish Rescue Services Agency has been directed to coordinate and pursue the development of child safety work in Sweden and has for this purpose formed a *child safety council* comprising fourteen authorities. A working group with links to the child safety council is now working on a policy document for producing a *national plan for child security work* in Sweden.

79. In order to enhance knowledge about violence against children, the National Board of Health and Welfare is to report statistics every five years on intentional violence against children. The first report was presented in 2005. It reports on the number of children during the last five-year period who have died as a result of violence, have been discharged from hospital care after treatment as a consequence of assault and children who have sought outpatient care as a consequence of violent injuries (see above under item 29).

80. The National Board of Health and Welfare has had an assignment to analyse the conditions for coordination of various individual plans that may have been adopted for children, young people or adults with disabilities. This assignment included drawing attention to the need of amendments to legislation and other regulatory systems. In the report presented, the National Board of Health and Welfare pointed out a number of

¹⁹ Swedish Code of Statutes - SFS 1990:52.

areas where harmonisation of the regulatory system was considered to be necessary. The report is being processed by the Government Offices.

81. Basically all county councils have implemented special initiatives to increase the number of individual plans for children with disabilities, among other things through seminars, supervision and survey follow-ups. Positive elements include the initiatives taken in cooperation with county councils or municipalities or in cooperation with users.

82. In its annual report for 2002, the Children's Ombudsman focused to a large extent on the *situation for children and young people with disabilities*. The Children's Ombudsman was of the view that even if the situation of children and young people with disabilities has improved, they are still an invisible group in society. When they are seen, it is often the disability that is in focus. Nor are they or their representatives heard very often in the debate. Children with disabilities are also a multi-faceted group. Many children have multiple disabilities and there are children with invisible disabilities, both of a mental and physical nature. All these children and young people have their special resources and difficulties, which makes it impossible to generalise and of course also difficult to assert each group's special interests.

83. The number of child fatalities from external causes (injuries and poisoning) including suicide and traffic accidents, per 100 000, according to the National Board of Health and Welfare:

Year	Sex	Age 0-4	Age 5-9	Age 10-14	Age 15-19
2004	Male	10.97	10.33	11.3	33.13
2004	Female	7.29	9.2	10.91	17.14
2003	Male	4.12	5.06	3.74	24.61
2003	Female	1.74	2.04	2.3	16.74
2002	Male	4.21	2.23	5.94	28.16
2002	Female	2.22	1.55	1.98	14.69
2001	Male	5.54	1.71	4.24	29.51
2001	Female	4.5	1.79	3.79	11.62
2000	Male	4.21	3.27	4.4	33.43
2000	Female	1.33	0.34	4.65	14.61

84. The number of fatalities per 100 000 as a consequence of assault by another person, according to statistics from the National Board of Health and Welfare:

Year	Sex	Age 0-4	Age 5-9	Age 10-14	Age 15-19
2004	Male	0	0.79	0.63	0.69
2004	Female	0.86	0.84	0.33	1.46
2003	Male	0	0.39	0	0
2003	Female	0	0.41	0	1.86
2002	Male	0.84	0	0.31	1.46
2002	Female	0.89	0.39	0	0.39
2001	Male	0.85	0	0.33	1.14
2001	Female	0.9	0	0.34	0.8

2000	Male	0	0.33	0.34	1.92
2000	Female	0.44	0	0.71	0.41

85. Number of fatalities per 100 000 as a consequence of suicide according to the National Board of Health and Welfare statistics:

Year	Sex	Age 0-4	Age 5-9	Age 10-14	Age 15-19
2004	Male	0	0	0.94	9.66
2004	Female	0	0	1.32	5.84
2003	Male	0	0	0.31	7.38
2003	Female	0	0	0.66	4.46
2002	Male	0	0	1.25	9.14
2002	Female	0	0	0.99	3.48
2001	Male	0	0	0.65	5.68
2001	Female	0	0	1.03	2.81
2000	Male	0	0	0.34	8.07
2000	Female	0	0	0.36	6.49

Respect for the views of the child

86. The Committee was concerned about some children and young people not feeling that they have real influence in their lives. It recommended that decisions relevant to children contain information about the views of the child. The Committee also recommended that children in conflict-ridden disputes on custody and visitation receive proper assistance.

87. Both the Social Services Act²⁰ and the Care of Young Persons (Special Provisions) Act²¹ contain provisions on the rights of children to express their views on matters concerning them. This does not only involve matters coming under the social services for children and young persons and family law, but also matters relating to financial assistance and to adult drug and alcohol abusers. According to the National Board of Health and Welfare it has become increasingly common within the social child and youth care services that children express their views and their opinions are documented. However, how effectively this functions varies between the municipalities. In some municipalities it functions well while there are still inadequacies in many municipalities. The National Board of Health and Welfare has also issued a research survey, *Interviewing Children in the Social Services*, to aid staff in the social services to discuss matters with children. The county administrative boards' supervisory reports confirm that social services consider to a greater extent whether discussions should be held with children or not and that more children express their views which are documented in investigations.

88. In order to further improve the rights of the child in conjunction with compulsory care, a provision was introduced in 2003 in the Care of Young Persons (Special Provisions) Act,²² whereby the opinions of the young person should be clarified as far as

²⁰ Swedish Code of Statutes - SFS 2001:453.

²¹ Swedish Code of Statutes - SFS 1990:52.

²² Ibid.

possible, and regard should be taken to the views of the young person in accordance with his or her age and maturity.

89. In 2004, the Swedish Social Insurance Agency (*Försäkringskassan*), acting on the instructions of the Government, submitted a report on *the child's right to express its views within the social insurance administration*. Within social insurance it is primarily financial family policy and disability policy that affect children. Children may, for instance, have views on their assistance and care needs and who the child wishes to have as an assistant. The Swedish Social Insurance Agency has also adopted a *child policy* that states that consultation should take place with children, or representatives of children, when the Agency works with issues relating to the situation of the child.

90. Supervision reports from the county administrative boards and reports from the Children's Ombudsman and Save the Children Sweden have shown that – despite ongoing developments in a positive direction – there are still inadequacies as regards discussions with children within the social child and youth care services. In the Government Bill Development of Social Services for Children and Young Persons etc., the Government presents proposals that provide children and young people with a right to relevant information in matters being handled by the social welfare services. In the event that *the matter involves an application for compulsory care, the application to the County Administrative Court shall include a note regarding how the information has been provided, what kind of information has been provided and regarding the views of the young person*. Discussions with children aim to provide the children with information about what is happening, and what is going to happen, but also involve getting information about the child's perceptions, concrete experience and opinions about her or his situation, and how measures should be planned or followed up.

91. Furthermore, *the Inquiry on Improved and More Explicit Supervision in the area of Social Welfare Services*²³ has been directed in its terms of reference to deliberate on and propose measures that in particular improve the supervision of the rights of children and young people within the various areas of the social welfare services. The Inquiry will report on its assignment on 31 October 2007.

92. The Children's Ombudsman has conducted a questionnaire survey in compulsory (primary and secondary) school and in upper secondary school to ascertain children's own views on the extent to which they themselves consider they have influence in, for example, their immediate environment, at school and within the family. As regards *influence in the local environment*, it emerges that a large proportion of children and young people consider that decision-makers in the municipalities do not ask them what they think about important issues. Children consider that they do not have opportunities for influence in matters that concern them and nor do they know to whom they should turn to exert an influence. As regards *influence at school*, most of the pupils asked consider that the adults listen to proposals and ideas. It also emerges that many pupils do not subsequently get to know what the adults have done about their proposals. Pupils with disabilities appear, according to the survey, to be more satisfied and active in the

²³ Swedish Code of Statutes - SFS 2004:12.

school's influence activities than children without disabilities. Many pupils asked, particularly the elder ones, took a sceptical view of pupil councils and doubt that they can have any influence.

93. The Planning and Building Act²⁴, which contains provisions on the opportunity to participate and influence physical planning, has been the subject of a review which, among other things, has shed light on the *influence of children and young people in planning*. The PBL (Planning and Building Act) Committee concluded in its final report²⁵ that in recent years municipalities have been increasingly attentive to the environment of children and young people and their right to influence physical planning. Many municipalities have developed arrangements to take into account the perspective of the child, among other things, in physical planning. The Committee considers that the current regulations are actually fit for their purpose but that they need to be better applied. The Committee's proposals are currently being processed by the Government Offices.

91. Children and young people participate in the activities of clubs and societies. According to the National Board for Youth Affairs' statistics for 2007, there are currently about 90 organisations in Sweden for children and young people aged between 7 and 25. These include solidarity organisations, political and religious organisations, organisations for people with disabilities and for national minorities, and also interest organisations, environmental or cultural organisations and organisations formed on ethnic grounds. In addition to these organisations, there are a very large number of sports associations where children and young people are particularly active.

95. To ascertain and take into account the opinions of children is still a challenge. Reality shows that *it is not always easy for decision-makers to find effective forms for dialogue* with children and young people. The form of dialogues and methods to gather and make use of the opinions and knowledge of girls and boys still needs further development and improvement. The experiences and good examples of how to involve children observed in, for instance, municipalities and government authorities, need to be utilised and disseminated within and between the organisations concerned. How interested children and young people are in dialogue with municipal decision-makers varies over time. This is partly a reflection of how adults deal with the dialogue, the language they use, the children's opportunity of having their voice heard and information about the impact of children's views on the decisions of adults. It also reflects the way that children grow older, develop and have other interests. The existing 'Child and Youth Councils' at municipal level often need to be reorganised, discontinued or started up again. The most positive experience has been found in those municipalities that seek and create forums for dialogue with children and young people at the places where they are, namely at school, in various youth activities or the like. Many Swedish children use the Internet daily – and are very accustomed to searching for information, chatting and blogging via the Internet. There are opportunities here for decision-makers to develop forms for conducting a dialogue with children and young people on their own terms. These opportunities for

²⁴ Swedish Code of Statutes - SFS 1987:10.

²⁵ Official Government Report 2005:77.

dialogue have been successfully used within the framework of the “Girl Project” (see also item 104).

96. Amendments to the provisions of the Children and Parents Code relating to custody, residence and access entered into force on 1 July 2006. *The best interests of the child are to be a deciding factor in all decisions regarding custody, residence and access.* The importance of the risk of the child suffering is emphasised in the Code. When assessing what is in the best interest of the child, the court and the social welfare committee must attach particular importance to any risk that the child or any other person in the family may be subjected to abuse or that the child may be illicitly transferred or non-returned or may otherwise suffer. When assessing whether custody of the child should be joint, the court should attach particular importance to the parents’ capacity to cooperate on matters concerning the child.

97. Certain amendments have also been introduced into the Code regarding *the child’s right to access.*²⁶ The social welfare committee is empowered to institute court proceedings regarding access, for instance if the child is at risk of suffering. In cases concerning custody, residence and access, the social welfare committee is to hear the child, if appropriate, before it provides ‘rapid information’ to the court.

98. We may also note that in certain municipalities there are group activities for children who are experiencing or have experienced conflict-ridden disputes regarding custody, residence and access.

99. For other information regarding Articles 2, 3, 6 and 12, we refer to Sweden’s previous report and especially to Sweden’s third periodic report, CRC/C/125/Add.1, items 143-241.

IV. Civil and political rights (Articles 7, 8, 13–17 and 37 a)

Access to information

100. The Committee has recommended measures to effectively protect children against violence on the Internet, on television and in computer games and against child pornography.

101. The Government Committee *Media Council’s* activities are in the first instance oriented towards empowering children and young people as media consumers and parents in their parental role, by producing and disseminating knowledge and information in this field. Parents and “near-to-child professions” are an important target group to protect children from depictions of violence.

²⁶ Ibid.

102. During 2005 and 2006 the Media Council and the Swedish National Agency for School Improvement have together been the national centre for more secure Internet use among children and young people. During this period the two authorities have jointly conducted “*The Young Internet*” campaign in the form of a large number of regional seminars. The aim was to enhance awareness and encourage dialogue between children and adults about secure use of the Internet. Approximately 2 000 conference participants in 11 localities have received tips and advice prepared by the Media Council in cooperation with a number of stakeholders from the Internet sector. In this way a network of regional information officers has been built up and will continue the information work at regional level. The work for a more secure Internet will enter a new phase in 2007. In cooperation with BRIS (Children’s Rights in Society), the Media Council is starting a help line to which children and young people can turn for advice and support.

103. The Media Council regularly conducts *surveys and studies of children’s and young people’s media habits*. The latest survey “Young People & Media 2006” shows, among other things, that basically all 12 to 16-year olds use the Internet and more than half of them use the Internet daily. There has been a sharp increase in the number of young Internet users. Among 9 to 12-year olds, 28 per cent use the Internet every day, compared with 17 per cent a year ago.

104. This survey shows, among other things, that perceptions of what is most harmful to see in moving picture media vary between parents and children/young people. Parents consider that sex and acted violence in films or TV series are most harmful for children and young people to see. What children and young people often state makes them feel bad when they see it on TV, in films, games or on the Internet, is when children feel bad or suffer, when animals are ill or suffer and real violence.

105. The Media Council is also working to *encourage sector self-regulation*. During 2006 the Media Council, in collaboration with the Swedish IT Business Association produced a *guide with tips about young people’s use of mobile telephones* that also offer access to media such as Internet and TV.

106. TV advertising directed at children under 12 is prohibited. Negotiations recently concluded within the EU for revision of the ‘TV Directive’ which regulates TV broadcasts across national borders in Europe. The formal decision will probably be made during the autumn of 2007. During these negotiations Sweden has worked in various ways to make the rules on advertising directed at children more stringent. Above all else, Sweden has worked to promote a prohibition of commercial breaks in children’s programmes. Even if Sweden has not fully succeeded, the Swedish views have had an impact in the negotiations. The new rules entail, among other things, that children’s programmes lasting a half-hour or less may not be interrupted for advertising. The Directive is a minimum directive and the Member States’ possibilities of having more stringent national legislation are therefore not affected.

107. The *Girl Project* was conducted by the Ministry of Health and Social Affairs during 2004 and the first half of 2005. The aim of the project was to discuss with girls and boys

the commercialisation and sexualisation with which they are confronted in their everyday life and how this influences their image of themselves and each other. The project also aimed to establish a dialogue with the media, advertising sector, advertisers and others about their role and responsibility as regards influencing girls and boys. Twenty-five “Girls’ days” were arranged in as many cities. Around 50 000 girls and boys participated in discussions about self-esteem, gender equality, ideals and identity. Some hundred voluntary organisations have also been involved around Sweden. The National Board for Youth Affairs has recently presented an evaluation of the effects of the project.

108. The Crime Victim Compensation and Support Authority has established a *crime victim portal*, which, among other things, contains special information for young crime victims with clear information about their rights and opportunities to obtain support and assistance together with other relevant information. This portal contains special information directed at young people who are exposed to crime.

Children and library operations

109. Municipal library operations are conducted by municipal central libraries, branches, book buses and other borrowing points. As every municipality is required to have a public library, there were 290 central libraries in 2005. There were 1 031 branch libraries linked to these. Even if the number of branches has declined over a long period, the integration of the branches with school libraries has gradually increased, by on average 9 branches per year. Of the main libraries, 45 were integrated with school libraries and of the branches 521 were integrated. Besides the main and branch libraries there are also library operations conducted through 93 book buses and 737 other borrowing points around Sweden. All these libraries are accessible to children:

Year	Number of branches	Branches integrated with school libraries
2002	1116	531
2003	1091	529
2004	1065	528
2005	1031	521

Source: National Council for Cultural Affairs

Action against pornography

110. In 2003 the Media Council was given supplementary instructions directing that the *Council must give particular attention to portrayals of violence and pornography and apply a clear gender perspective in its work*. In 2006, the Media Council published the report “Koll på porr” [Porn report] which contained articles by a number of experts, youth advisers and researchers with facts and experience on how boys and girls use, experience and are affected by pornography in digital media. The report was distributed to all youth clinics in Sweden and has also been distributed to schools.

111. Within the Nordic Council of Ministers Sweden has jointly financed the *research programme “Young people, gender and pornography in the Nordic Countries”*. Leading gender researchers from throughout the Nordic countries have contributed studies covering all of the Nordic countries. The research results have been presented in three reports which, among other things, explain the importance of pornography for young people’s view of themselves and their own sexuality, how young people are exposed to sexualised media products and young people’s consumption of and attitudes towards pornography.

112. During 2006, the National Criminal Police initiated the gradual transfer of the examination of seized child pornography material from its own child pornography group to the local police authorities. In order to facilitate this, *training in the examination of child pornography pictures* has been developed in cooperation with the Swedish National Police Academy. The aim is to cut down processing times for this kind of crime and free up resources for such activities as identification of crime victims and perpetrators in sexual exploitation of children.

113. In the work against child pornography, in 2006 the National Criminal Police has participated in the establishment of a *“filtering” of Internet pages with child pornography content*. This work has been conducted in cooperation with 15 Internet providers, including the largest in Sweden. The Internet providers block those pages that the National Criminal Police report as containing child pornography so that access to these sites is denied. In this way about 30 000 attempts each day to reach these pages are blocked.

114. As regards other aspects relating to Articles 7, 8, 13–17 and 37(a) we refer to Sweden’s other periodical reports and especially to our third report CRC/C/125/Add. 1, items 242–263.

V. Family environment and alternative care (Articles 5, 9–11, 18.1–2, 19–21, 25, 27.4 and 39)

Parenting support

115. The Government considers that it is important for parenting support to be offered continuously during a child’s entire childhood. Parents are responsible for communicating norms and values to their children. They should be supported and their responsibility for communicating norms to their children should be made clear. The responsibility for parenting support in various forms during the childhood years of a child rests primarily with the municipalities and county councils. Today, parenting training is given in groups during pregnancy and during the child’s first year of life – primarily within the framework of maternity and child healthcare and via “family centres”. The family centres work primarily with health promoting, general, early preventive and supporting initiatives where the municipalities and county councils coordinate their resources for cross-cutting professional cooperation.

116. The National Institute of Public Health (FHI) has presented proposals on the structure of parenting support during various phases of a child’s childhood and proposals

for methods and contents in parenting training adapted to the child's development and needs.²⁷ FHI has since then had the assignment of implementing measures to disseminate this methodological knowledge to municipalities and county councils. The proportions of families with the first child aged 2–10 participating in some form of training has increased from 2 per cent in 2004 to 7 per cent in 2006. FHI has also taken the initiative to produce films and written material that can be used in study circles on parenting support.

117. In the Children's Ombudsman's report to the Government in 2007, the importance of proper parenting support at the right time was emphasised. The Ombudsman has also drawn attention to the need for society to become better at informing immigrant parents about the rights of children under the CRC, the right of children and young people to respect for their own individuality and their right to their own sexuality. The Children's Ombudsman has also proposed that all newly arrived families in Sweden be offered information about the CRC, the Education Act and human rights and information about where one can turn with questions which may arise during a child's teenage years and adolescence. These proposals are being processed by the Government Offices.

Illicit transfer and non-return of children abroad

118. The Committee recommended that Sweden improve measures to prevent and combat illicit transfer and non-return of children abroad and to resolve the ongoing disputes in line with the principle of the best interest of the child.

119. The Ministry of Foreign Affairs (MFA) as *central authority* deals with applications under the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction, the Council of Europe Convention on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody of Children, Council Regulation (EC) No 2201/2003 of 27 November 2003 on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility (Brussels II Regulation), and 'non-Convention matters'.²⁸ Sweden has also concluded bilateral agreements with Tunisia and Egypt on these matters. A bilateral agreement with Morocco will be concluded. Since the former report, the Brussels II Regulation has entered into force, and similarly the Swedish ordinance²⁹ with supplementary provisions on the Brussels II Regulation.

120. *The MFA assists parents* whose children have been transferred to another country in conjunction with a custody dispute. In matters relating to children who have been transferred to countries that have acceded to the Hague Convention, these matters are dealt with through cooperation between the MFA and the other country's central authority. In matters regarding transfer to countries that have not acceded to the Hague Convention, there is no international system of rules to refer to. Such matters are therefore difficult to resolve and the processing time is often long. Even in matters

²⁷ The National Institute of Public Health, New tools for parents – proposed new forms of parenting support.

²⁸ 'Non-Convention matters' means matters involving States that have not acceded to any of the international agreements regulating issues regarding unlawfully removed children.

²⁹ Ordinance 2005:97.

involving countries that have acceded to the Hague Convention, experience shows that there may be problems. Decisions about restoration of children are made by courts and decisions may be appealed against. In some countries a very long time may elapse before a final decision is in place. The long delay in time can result in the child adapting itself to its new environment and the restoration of the child then not being deemed to be in the best interest of the child. *The legal complexity* in these matters is often extensive.

121. Increased mobility across borders has resulted in the number of custody disputes with international elements increasing and often involving collisions with legal cultures that are different from our own. *The number of child transfer matters has increased by almost fifty per cent in the last five years.* The total number of incoming matters regarding transferred/non-returned children between the years 2002 and 2007 is 381 children:

Of which children transferred to Sweden	177 children
Of which children transferred from Sweden	204 children
Of which the father is applicant/mother party transferring	218 children
Of which the mother is applicant/father party transferring	146 children
Of which other ³⁰ applicant	17 children

122. Matters concerning the illicit transfer of children are given high priority at the MFA. The authority provides a website in Swedish, with the most important parts translated into English, where application documents, powers of attorney and general information about transfer of children, along with references to the relevant Swedish legislation, are made available to the public.

123. The annual *budget* allocated to facilitate the restoration of illicitly transferred or non-returned children amounts to SEK 500 000 in 2007 and is primarily used for travelling expenses that arise in conjunction with the restoration of a child to the state of habitual residence and to cover expenses for, among other things, parents' rights of access with the child, the parents' opportunity to attend at court, compensation for mediation assignments and translations. The MFA also arranges annual consular courses for the *training of staff* who are to be posted abroad. The question of transfer of children is an essential subject on the programme.

124. In order to improve cooperation between Convention States and non-Convention States, the Foreign Minister issued an invitation for a *Meeting of Ministers* in November 2005. Algeria, Latvia, Malta, Morocco, Tunisia and Turkey participated and in the 'Haga Declaration' the participants agreed on the importance of also establishing central authorities for Non-Convention States, to aid increased efficiency in international cooperation. The participants at the meeting also agreed to investigate what could be done to improve knowledge about unlawful removal or retention of children within those professional groups affected and also to improve the opportunities of access between parents and children across borders.

³⁰ The applicant can in these cases be, among others, social authorities in another Convention State or alternatively some other party having custody of the child.

125. Over the last four or five years the MFA has noted that children and young people who have been sent by their custodians to their former home country, to some extent contact Swedish foreign missions for assistance in returning to Sweden. In order to improve the possibility of assisting children in these matters, further cooperation has been established with social authorities in the municipalities where the children come from. During 2004 the National Board of Health and Welfare circulated relevant information material to the local social welfare authorities. In 2006 a supplementary provision was added to the Passport Act to facilitate *the issue of passports without the custodian's permission*.

Alternative care

126. The Committee was concerned about the increased number of children that were placed in institutions and about the proportion of children with foreign background among these being greater than the proportion of Swedish-born children. The Committee was also concerned about the National Board of Institutional Care's self-regulatory role. The Committee recommended, among other things, preventive measures targeted at families with a foreign background and to enhance awareness within the social welfare services regarding cultural background and immigrant status.

127. The basic principle in the Social Services Act is that *action should be taken on the basis of the private individual's needs* and, in those cases where children are involved, *in the best interests of the individual child*. The municipalities have long made efforts to reduce institutional care, which has had an impact in recent years. The proportion of placements at emergency foster homes has almost doubled since 2001. There is much evidence to suggest that they have replaced former emergency institutional placements. From the statistics presented by the National Board of Health and Welfare in the situation report for 2006 – Individual and family care – it is evident that during 2001–2005 *the number of children and young people in foster care has increased by 5–10 % while the number of placements in institutional care has levelled off*. It is primarily placements in emergency foster homes that have increased. Out of home care is most common in the 13–17 age group – a group that represented about half of the 24-hour care. Children of persons born abroad are over-represented in institutional care. This should, according to the National Board of Health and Welfare, be viewed against the background of factors related to the family's socio-economic situation explaining most of the differences between children with foreign and Swedish backgrounds respectively.

128. *Transfer of custody in the case of long placements in foster care*. In order to safeguard children who are placed in family homes for a long period, in 2003 a provision was introduced in the Social Services Act and the Care of Young Persons (Special Provisions) Act. Under this provision, when a child has been placed at the same family home for three years, the social welfare committee shall deliberate on whether there is reason to apply for a transfer of custody to the foster parents. The best interests of the individual child are to be decisive for this decision. The results of the follow-up show that the *statutory amendments have not yet had a full impact* in all municipalities. In order to provide the social services with guidance in this work, the National Board of Health and Welfare has issued general guidelines and a handbook.

129. In order to create uniformity in the work of investigating, planning and follow-up – with children and young people in focus – the National Board of Health and Welfare has developed the method “*Children’s Needs in Focus*” (BBIC) and together with a number of municipalities pursued the project BBIC. This project aims to improve the status of children within social services for children. BBIC is a uniform system for dealing with and documenting investigation, planning and follow-up. This system comprises a series of forms that follow the entire course of the matter – from report or application, to investigation, to follow-up of actions. The documentation becomes more structured and better substantiated, which facilitates follow-up of actions taken. The child and parents can continuously provide their views and comments on the content of the documentation. The child’s view on her or his situation is to be given particular attention. It should also be clear to children, young people and parents what the social services are doing and clarify the needs of children and young people for the social services. Over 200 municipalities have undergone BBIC training and about 50 municipalities are about to start the training.

130. The Government is aware of the importance of enhancing knowledge and awareness within Social Services, among other things, about cultural aspects and the special needs that people with foreign backgrounds may have. The National Board of Health and Welfare and in particular the Institute for Evidence-Based Social Work Practice, is continuously working with the development of knowledge to enhance awareness within the social services, including *information relating to cultural aspects*. The National Board of Health and Welfare has produced an information booklet with information about girls who live under threats and coercion in patriarchal families.

131. During the period 2003–2007 the Government has allocated SEK 160 million for *measures against ‘honour-related’ violence*. The aim is to enhance knowledge about ‘honour-related’ violence and oppression, to change attitudes and to ensure that the need of places in sheltered housing is satisfied. Girls and young women are the primary target group, but attention is also given to boys and young men. Homosexual and bisexual young people and young transpersons are also covered. These measures are mainly preventive and oriented towards better protection of the private individual. In the beginning of 2006, there were 105 places for sheltered residence in family homes, homes for care or residence and other protected accommodation for young people who have been exposed to honour-related violence. It is primarily girls and young women who live in sheltered housing.

132. In some deprived urban areas *insecurity and crime* are a major problem. *Unemployment* is high and a large proportion of immigrants are *long-term dependent on social allowances*. When young people commit crimes it is important for society to apply early and rapid initiatives. In June 2006, the National Board of Institutional Care (SiS) was directed to develop and test an improved care chain that provides the social services and SiS with the capacity to intervene when children and young people jeopardise their health and development. Among other things, the young person is assigned a special coordinator for their care chain.

133. *The National Board of Institutional Care's role and responsibility* is being reviewed. An inquiry is reviewing the responsibility for supervision of the National Board of Institutional Care's institutions and will submit proposals on how supervision of these operations can be structured. This assignment will be reported on no later than 1 November 2007.

134. The county administrative boards have instructions during 2006–2008 to improve supervision relating to children placed outside their own home. Special funds have been allocated to the county administrative boards for this assignment.

135. In the Government Bill, Development of Social Services for Children and Young Persons, which was submitted to the Riksdag in June 2007, the Government proposed a number of *changes aimed at further developing the social services for these categories*. Among other things, prior to the placement of a child outside the child's own home, the local social welfare committee, together with the child and the parents, is to produce a plan describing how the care will be implemented. It is an obligation of the local social welfare committee to meet the needs for support and assistance that there may be when care has ceased.

Children witnessing violence

136. In order to help and support children who have witnessed violence, it is important to see the needs of the individual child as it is not always the case that this corresponds with, for instance, the needs of the parent subjected to the violence. On 15 November 2006, an amendment to the Social Services Act entered into force, which establishes that children who witness violence or other abuse of or against a closely related adult are the victim of a crime.³¹ On the same date statutory amendments also entered into force whereby *a child who witnesses a crime that is likely to harm the child's sense of security and trust in relation to a closely related person shall be entitled to crime victim compensation from the State*. On 1 July 2007 a statutory amendment of the Social Services Act entered into force clarifying the responsibility of the social welfare committee for initiatives for crime victims, primarily women subjected to violence and children who have witnessed violence

Children and intercountry adoptions

137. Every year about 1 000 foreign children arrive in Sweden for adoption. In order to improve the protection of children in conjunction with intercountry adoptions, the National Board for Intercountry Adoptions (NIA) was reconstituted as the Swedish Intercountry Adoptions Authority (MIA) on 1 January 2005. The new authority was given a more well-defined mandate in its role to grant authorisation and exercise supervision of associations mediating intercountry adoptions. The authority was also given a clearer mandate to monitor international developments and the costs regarding intercountry adoptions. The Intercountry Adoption Intermediation Act³² was extended with more and clearer conditions for authorisations, clearer requirements for the ongoing

³¹ Government Bill 2005/06:166, Children witnessing violence, Chapter 5, Section 11 SoL.

³² Swedish Code of Statutes - SFS 1997:192.

operations of the associations and more instruments for supervision. MIA will also investigate more actively than before the conditions for working on adoptions in a particular country, how the country complies with the CRC and the 1993 Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption. The Act specifies that if an organisation also conducts other operations, for example foreign aid assistance, these operations shall be kept separate. Aid may not become a kind of payment for being allowed to act as an intermediary for children.

138. In order to improve the rights of the child and clarify the child perspective in the adoption process, the Social Services Act was amended in 2005. These amendments mean that a person or persons intending to adopt a child from another country must have the consent of the local social welfare committee in their home municipality before the child leaves its country of origin. Prior to adoption, the adoption applicants must also have undergone parenting training arranged by the municipality.

139. In order to ensure that all prospective adoptive parents receive training of high and equal quality throughout Sweden, focusing on the special needs of the adoptive child, the National Board of Health and Welfare and MIA have produced training material which is available via the National Board of Health and Welfare's website.

140. The Institute for Evidence-Based Social Work at the National Board of Health and Welfare has compiled an expert report on intercountry adopted children. According to this report, two conclusions can be drawn from the research on intercountry adopted persons in Sweden. The large majority of intercountry adopted children are doing well. It is established that adoption is a protective factor rather than a risk factor. But these children are overrepresented in some areas of unfavourable development in their teenage years or young adult years. The most worrying example relates to completed suicides and attempted suicides. Greater risks of serious mental illness are also clear, and similarly the risk of being placed in social care during their teenage years.

Children with parents deprived of liberty

141. Work to improve the situation for children with parents deprived of liberty has, among other things, resulted in accommodation rooms being designed to be appropriate for accompanying children, a visiting room at each institution being set up for children and there being possibilities for telephone calls free of charge. The staff at institutions receive information on the contents of the CRC and new institution regulations have been produced to clarify the child perspective. The social welfare services are also being informed in the event of interruption of intensive supervision.

142. The Children's Ombudsman has engaged in cooperation with the Prison and Probation Service. This cooperation has resulted in improved methods of working and attitudes. In 2004, the Ombudsman presented the report "*Don't punish the child*" to make visible the situation of children when parents are deprived of liberty. In the annual report for 2006, the Ombudsman considers that the appointment of a 'child representative' within institutions, remand centres and non-institutional care is an extremely important

step to be able to continue to develop ideas and processes of change within the prison and probation service.

VI. Basic health and welfare (Articles 6, 18.3, 23, 24, 26, and 27.1–3)

Health and health care services

143. The Committee was concerned about the risk of unequal conditions in various regions and about the increasing number of school children experiencing stress, the increasing number of cases of suicide, bulimia, anorexia, overweight and obesity, as well as about the lack of programmes for children's mental health. The Committee recommended both preventive and interventional measures to reduce stress levels of school children, to prevent suicide, to address the problems with bulimia and anorexia, and to address the problems of overweight and obesity, as well as to improve mental health programmes for children.

144. Children in Sweden generally grow up under good conditions, but there are individuals and groups who need special attention. Children of parents with alcohol and drug abuse problems, mentally ill parents, single parents and children who grow up in households receiving social allowances or in other vulnerable environments have on average poorer health development than the average in Sweden.

145. The activities of the Health and Medical Services are regulated by law³³ and should offer every citizen, regardless of where he or she lives in Sweden, services of equivalent quality. Fundamentally, all children should consequently be offered health and medical services on equal terms regardless of where they live. The autonomy of county councils and municipalities naturally results in different solutions and systems to meet the needs of children and other people within the health and medical services.

146. The Swedish National Agency for School Improvement will distribute SEK 100 million to pilot projects and local development work *in order to enhance cooperation between schools and authorities* within the police and social area and also in the health and medical services.

147. The Government will review *the provisions on school health service and pupil welfare* in a proposal for a new Education Act to be presented to the Riksdag during 2008.

148. Besides properly functioning school healthcare and pupil care, the Government considers that stress among school pupils should be prevented through *initiatives to improve the school environment*. A Government Bill has been presented containing proposals on extended opportunities for school heads and teachers to ensure security and study peace at school. Moreover, the Government has given notice of a number of proposals regarding regular and mandatory "check points" (tests) in compulsory school.

³³ Swedish Code of Statutes - SFS 1992:567.

149. *Overweight and obesity* is a public health problem in Sweden as in a large part of the world. Data regarding the weight and height of children in various studies shows that 15–20 per cent of children are overweight, 2–8 per cent being obese. Various studies suggest that the prevalence of overweight and obesity among children has increased by a factor of between two and five since the middle of the 1980s, which reflects the international trend.

150. There are, however, signs suggesting that the increase in weight appears to have tailed off somewhat among both children and adults in Sweden. The average weight and the proportion of people who are overweight are no longer increasing, though obesity is still increasing. There are great differences between various groups in society as regards the proportion of those overweight and people with obesity, and these differences are increasing. People with a low level of education, certain immigrant groups, single people, people on sick leave and unemployed people are more often obese and this proportion is continuing to increase. The same applies to the children of these groups.

151. The Government has conducted a number of initiatives since 2002 to draw attention to and improve school food, with the aim of enhancing the health of children and *reducing obesity*. During 2003, a National Centre for the Promotion of Physical Activity in Schools was established at the University of Örebro, which was later given an extended mandate and changed name to the *National Centre for Promotion of Good Health*. Its primary task is to support schools in their work on stimulating physical activity, good diet management and other health promoting measures. In 2005 the Centre was also instructed to work with the issue of good diet management. In the spring of 2007 the National Food Administration has presented *new advice for food at preschool and school*.

152. The Government considers that motion should be part of everyday life at school and be integrated in all school work. The ambition is that *all children should have physical activity at least 30 minutes each day* within the framework of the school day, besides lessons in sport. In order to emphasise this, in 2003 the Government introduced into the national curricula for compulsory (primary and secondary) and upper secondary school that the school should endeavour to offer pupils such activity. The Swedish National Agency for School Improvement *has monitored and supported the work of schools with implementing this goal*. The follow-up shows that the mandate in the curriculum is now known in all municipalities. Furthermore, positive developments are being made throughout Sweden and more schools are taking initiatives in this area. However, the older the pupils the more difficult it is to initiate such a development. Most schools for pupils in years 1–6 have active work in this area while the number then declines and is even lower in upper secondary school.

153. The National Psychiatric Services Coordinator, in his final report³⁴, has considered that the availability of child and youth psychiatric services is not satisfactory. Child and youth psychiatry is a small-scale service in relation to adult psychiatry and even if efficiency is increasing due to changing routines and working methods, it is likely that current resources are not sufficient. Increased resources are therefore necessary. Within

³⁴ Official Government Report 2006:100, Ambition and responsibility – National strategy for development of social initiatives for people with mental illness and disabilities.

the next few years the Government intends to improve services for children and young people with mental illnesses. In order to improve the availability of psychiatric care for children and young people, *an improved care guarantee within the child and youth psychiatric services* will be implemented gradually over a three-year period, starting in 2007. The National Board of Health and Welfare has been directed to distribute SEK 214 million for 2007 to the county councils, aimed at supporting the work with *improving the quality and increasing the availability of services* for children and young people with mental illnesses. The National Board of Health and Welfare has also been instructed to establish *a development centre for early intervention for children and young people exposed to a risk of incurring a severe mental illness*. The task of the centre will be to compile, coordinate and disseminate knowledge and research as regards identifying, preventing, providing early support and treating children and young people.

154. The National Institute of Public Health and the National Board of Health and Welfare have *submitted a proposal on strategies and measures for a national programme for suicide prevention*. The previous reduction in suicides appears to have tailed off and the proportion of young people aged 15–24 who are being cared for after attempted suicide has increased. For a long time the number of suicides in this age group has been just over one hundred cases a year, although the total number of suicides in the population has declined. Suicide among children aged under 15 is rare.

155. In the autumn of 2006, an *inquiry report on youth mental health*³⁵ was submitted to the Government. This inquiry included an analysis of the development of mental illness among young people and a review of probable factors that can explain the negative trend. In addition, proposed measures were presented that might possibly reduce the incidence of mental illness among young people, including proposals for regular national measurements of young people's mental health. The proposals have undergone the consultative procedure and are currently being further processed by the Government Offices.

156. By no later than the summer of 2008, the National Institute of Public Health (FHI) is to produce an *information base on the possible links between increased self-reported mental illness and changed alcohol consumption* among young people, and improve the knowledge of effective methods of reaching both girls and boys demonstrating multiple risk behaviour.

157. FHI is also working to develop *a system for a web-based pupil health questionnaire* to gather health information about children and young people on a routine basis. This information is required to evaluate the effect of initiatives taken and to assess the need for further measures. This applies at both local and national level. Registration of pupils in one school year is planned to start in the autumn of 2007. The aim is that some municipalities use the system to begin with and more municipalities can be added subsequently.

³⁵ Official Government Report 2006:77.

158. Moreover, FHI has developed a *web-based reference work* as a support for municipal child and youth services. This reference work contains texts about subject areas such as the physical and mental health of children and the importance of school, preschool and leisure time for children's health and development.

159. FHI has also worked with communicating knowledge about how *alcohol and drugs prevention work* at primary and secondary school can be improved. This work has involved continuing education about preventive methods, presentation and dissemination of information material, coordination between authorities and other measures. Special initiatives have been directed at parents.

Youth health

160. The Committee was concerned about the number of abortions among teenagers and the general prevalence of drugs, tobacco and alcohol abuse. The Committee recommended that Sweden promote work on youth health and strengthen the programme for health education at school. It further recommended measures for evaluation of the effectiveness of health education programmes, particularly regarding reproductive health, and to develop confidential youth-sensitive counselling, care and rehabilitation that are accessible without parental consent. The Committee also recommended that the efforts to combat the use of tobacco and drugs and abuse of alcohol continue.

161. The National Agency for Education has prepared proposals for measures to *improve drug prevention activities at school*, and the National Institute of Public Health has been instructed to implement these measures, which focus on the school's scope for improving alcohol and drug prevention activities at school.

162. In 2001, the Riksdag adopted a *national action plan to prevent alcohol-related harm*³⁶ for the period 2001–2005. In the spring of 2006, the Riksdag adopted a new National Alcohol Action Plan for the period 2006–2010. Most of the development work focuses on children and young people. Initiatives for children of parents with alcohol and drug abuse problems or mental problems have been emphasised particularly in the Action Plan.

163. In its annual report for 2005, the Office of the Children's Ombudsman has drawn particular attention to the attitudes of children and young people to *alcohol, tobacco and drugs*. The Ombudsman concludes that the use of drugs has declined in recent years. Fewer children smoke, drink alcohol and try drugs in year 9 than some years ago. Alcohol consumption by girls has not declined to the same extent as boys' consumption and girls also smoke more than boys.

164. The Children's Ombudsman's *report Drug-free Time* (2005) reports on the views of young people as to why they try or do not try alcohol and drugs. Among other things, it emerges that most young people have never tried drugs and that many completely disassociate themselves from drugs. The attitude among young people is that alcohol is

³⁶ Government Bill 2000/01:20

socially accepted. Parents are the most important model for young people. As a rule, there are clearer rules at home concerning drugs and tobacco than concerning alcohol, a factor that is reflected in the habits and attitudes of young people. According to the report, parents' rules and prohibitions concerning alcohol mean in particular that young teenagers do not drink.

165. *School and military conscription studies* conducted in 2006 by the Swedish Council for Information on Alcohol and other Drugs indicate both reduced alcohol and drugs among school pupils and conscripts.

166. The proportion of alcohol consumers in year 9, by gender, for the period 1971–2006:

	Flickor	Pojkar
2000	76	76
2001	77	74
2002	72	72
2003	74	69
2004	72	67
2005	69	67
2006	66	64

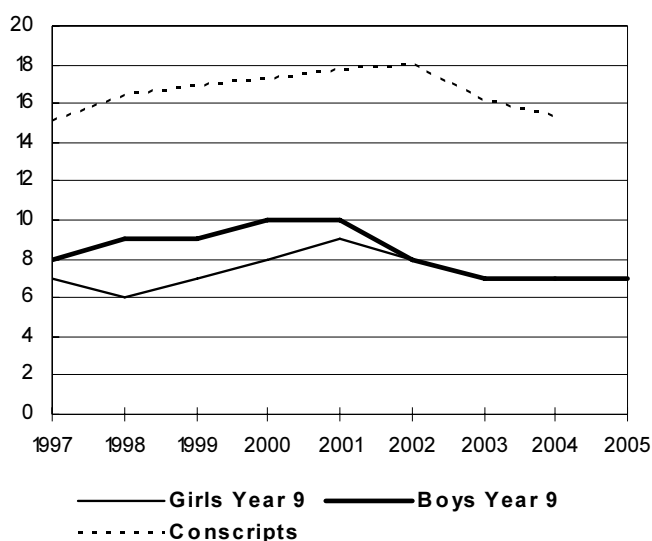
167. The estimated average annual consumption in litres of 100 per cent alcohol in year 9, disaggregated according to gender, during the period 1977–2006.

	Flickor	Pojkar
2000	2,9	5,3
2001	2,8	4,8
2002	3,1	4,1
2003	2,9	3,8
2004	3,0	4,1
2005	3,2	3,5
2006	2,8	3,6

168. In January 2002, the Government presented a *National Drugs Action Plan* for the period up to 2005. At the same time the Government appointed a *special National Drug Policy Coordinator* with the task of implementing the goals of the action plan. One of these overall goals is to reduce new recruitment to drug abuse. The Coordinator has implemented a number of activities to give the drugs issue high political priority locally and to mobilise public opinion and the resources of the local community to counteract pro-drug attitudes among young people. In 2006, a *new Action Plan for the period 2006–2010* was adopted with the same goals as the previous plan.

169. During the period 2002–2006, the proportion of 16-year old school pupils stating that they have used drugs at some time has declined from 8 per cent (for both boys and girls) to 7 per cent for boys and 5 per cent for girls.

170. The proportion of pupils in year 9 and the proportion of military conscripts stating that they have tried drugs at some time during the period 1971–2006 (per cent):



Source: CAN

171. In total, for the period 2001–2005, SEK 900 million was allocated for alcohol and drug prevention work. Most of this, about SEK 530 million, went to the preventive work of the municipalities. In 2006, a further SEK 250 million was allocated.

172. Success with alcohol and drugs policy work requires structured, long-term and coordinated preventive work at both local and national level. Within the framework of the National Alcohol and Drugs Action Plans (for the periods 2001–2005 and 2006–2010) a nationwide structure for preventive work has been built up in Sweden. The organisation and structure of preventive work in the municipalities has gradually been improved and preventive activities have increased in number. The National Institute of Public Health has evaluated the first Alcohol Action Plan and considers it probable that the overall initiatives implemented have helped to restrain the increase in alcohol consumption.

173. The overall national objective for public health work is to create social preconditions for good public health on equal terms for the entire population. One of the target areas in national public health policy is reduced use of tobacco and alcohol, a society free from drugs and doping and a reduction in the harmful effects of excessive gambling.³⁷ The following sub-goals apply to the tobacco area:

- a tobacco-free start in life from 2014,
- a halving by 2014 of the number of young people under 18 who start to smoke or use moist snuff,
- a halving by 2014 of the proportion of smokers among those groups who smoke most, and
- that no one should be involuntarily exposed to smoke in their surroundings.

³⁷ Government Bill 2002/03:35, National public health objective.

174. During the period 2002–2004, *special government funds were allocated to the area of tobacco, amounting in total to SEK 90 million*. These resources were distributed to methodological development, support to voluntary organisations in the tobacco area and a telephone smoking cessation campaign, the “*Stop Smoking Line*”.

175. *Four per cent of boys and seven per cent of girls in year nine smoke daily*. This is shown by the report *School Pupils’ Drug Habits 2006* prepared by the Swedish Council for Information on Alcohol and Other Drugs. The proportion who state that they smoke sometimes, or more, is 19 per cent among boys and 26 per cent among girls. In 2002, 6 per cent of boys stated that they smoked daily; the proportion of girls smoking daily was 12 per cent in 2002.

176. In 2006, eleven per cent of boys were *daily users of moist snuff* compared with twelve per cent in 2005. Among the girls, the daily use of moist snuff remained unchanged at 2 per cent. The group that had used moist snuff at some time or more often constituted 20 per cent among boys and seven per cent among girls. In 2002 fifteen per cent of boys stated that they used moist snuff daily and one per cent of girls used moist snuff.

177. During the period 2002–2006, a number of *statutory amendments have been introduced aimed at implementing the interim goals for reducing tobacco consumption*. Several of these aimed particularly to improve the situation for children and young people, but even the measures that were general and directed at the entire population have contributed to good protection for these groups. It has been established that initiatives to reduce tobacco use have relatively little effect if the initiatives are only directed at children and young people. A broader approach is required, where the measures are aimed at both controlling and reducing demand, and also at health promotion and disease prevention.

178. Sweden has implemented a number of changes with the aim of improving compliance with the eighteen-year limit for sales of tobacco products. An improvement of compliance occurred after a reporting system was introduced in 2001. However, it is still possible for children and young people to get tobacco products. In the Government Bill in which the WHO Convention on tobacco control was also approved by the Riksdag, a decision was also made for further *amendments to the rules on sanctions in the Tobacco Act*.

179. On 1 June 2005, a statutory amendment entered into force whereby *smoking is prohibited in restaurants and other establishments serving food or beverages*. One of the reasons for this statutory amendment cited by the Riksdag was to offer children and young people smoke-free public environments. The National Institute of Public Health, the supervisory authority for the Tobacco Act, has reported that compliance has been very good.

180. During 1995–2005, *the number of teenage abortions increased steadily and was 24.3 per 1 000 girls (15–19 years old) in 2005*. The number of abortions among teenagers has also increased slightly during the first half of 2006. This is a disturbing trend, which the Government is dealing with in several different ways (see below under items 179–180).

181. *Efforts to improve youth sexual and reproductive health* and to prevent unwanted pregnancies and sexually transmitted infections occupies a central place in the area of public health. In December 2006, the Government directed the National Board of Health and Welfare to produce an information base and guidance on how youth clinics and similar services could go about preventive work for young people and others in the area of sexually transmitted infections as well as working with sex and relationship information. This assignment also includes examining the preconditions for cooperation between schools and health and medical services. The Board is to deliver a report on its assignment no later than 30 June 2009. The *issue of unwanted pregnancies* is also in focus within the framework of the agreement between the Government and the Swedish Association of Local Authorities and Regions on initiatives to combat HIV/AIDS. In the agreement concluded in 2007, the parties agreed, among other things, on initiatives to reduce the incidence of unprotected sex, so as to prevent the occurrence of sexually transmitted diseases and unwanted pregnancies. The Government intends to appoint a working group with the task of deliberating on how the work with preventing unwanted pregnancies can be developed among adults, young adults and young people.³⁸ The Government also intends to direct the National Board of Health and Welfare to make a survey of the work with preventing unwanted pregnancies that is currently in progress at youth clinics and similar services. Moreover, sex and relationship education will be reviewed in conjunction with a forthcoming revision of all curricula in primary and secondary school.

182. In June 2007 the Government directed the National Board of Health and Welfare to release funds for the development of a *virtual youth clinic*. A virtual youth clinic has great potential for providing young people in Sweden with an opportunity for *advice regarding sexual and reproductive health and concerning relationships and mental health*, regardless of where they live. By making use of the Internet as a channel of communication, a broader target group can be reached with information that would otherwise be more difficult to access, even if the service does not aim to replace personal contact with the healthcare services. The opportunity of anonymity provided by Internet-based advice can also contribute to the service reaching groups who would not otherwise contact the youth clinics.

183. The National Agency for Education has implemented a review of the objectives for *sex and relationship education* in primary and secondary school. During 2005, moreover, the Swedish school system marked 50 years of sex and relationship education. The Swedish National Agency for School Improvement has carried out regional conferences and published a book that can be used in continuing education and as support material.

Work to combat female genital mutilation

184. It is unacceptable that girls in Sweden are subjected to *female genital mutilation* (FGM). FGM has been prohibited and criminalised by a special Swedish law since 1982. Since the requirement regarding double criminality was abolished, as far as is known, the

³⁸ Government Bill 2006/07:124.

Swedish courts have sentenced two people for offences under the Prohibition of Female Genital Mutilation Act to severe sentences of imprisonment and substantial damages.

185. In addition to the more stringent legislation, an action plan against FGM has also been produced³⁹ with two overall goals: that female genital mutilation of girls living in Sweden shall cease and that those girls and women who have already been subject to female genital mutilation shall receive adequate support. A proposal is currently being processed by the Government Offices regarding extension of the time limitation for female genital mutilation committed against children so that the limitation period only starts to run on the date when the aggrieved party attains or would have attained the age of 18.

186. One important result of the work of the National Board of Health and Welfare with further improving the preventive work against FGM is a *common written declaration* by the Swedish Imam Council, the Coptic Orthodox Church, the Catholic Church and the Swedish Christian Council. All these faith communities disassociate themselves clearly from all forms of female genital mutilation. The National Board of Health and Welfare has also produced and disseminated *to the police authorities and prosecutors guidance regarding female genital mutilation*. Educational material adapted to schools, health and medical services and social welfare services has also been produced and a web-based information bank with facts and information about female genital mutilation has been created through the work of the authority. A *folder oriented towards girls* who have suffered or are at risk of female genital mutilation has been distributed to primary and secondary schools.

Child health and environment

187. In the *Environmental Objectives Bill*⁴⁰ the Government has directed attention to child health, among other issues. The National Board of Health and Welfare has also produced an *Environmental Health Report 2005*, which focuses on children. The report has produced better knowledge about the exposure of children to various environmental factors and describes health risks related to such factors; it also tries to estimate the extent to which health effects among children are referable to environmental factors. This report demonstrates, among other things, that the environmentally related health of children is good overall, even if for instance, asthma, allergy sicknesses and noise nuisance are increasing.

188. Work is under way to produce a *national action plan for child environment and health*. In March 2007 the National Board of Health and Welfare presented a proposal for an action plan for child environment and health as a basis for the national action plan which Sweden has undertaken in conjunction with the 2004 European WHO Ministerial Conference on Environment and Health.

³⁹ Swedish Code of Statutes – SFS 2003:026

⁴⁰ Government Bill 2004/05:150, p. 28.

189. *The provisions on child safety* constitute an important part of the National Board of Housing, Building and Planning's building rules. There are for instance rules aimed at ensuring that children do not incur accidents owing to inadequate building design. The National Board of Housing, Building and Planning has also prepared handbooks on child-safe wells and containers. As regards the indoor environment, one way in which the needs of children have been particularly taken into account is that there are shorter intervals between the mandatory ventilation checks at schools and preschools compared with other buildings. Moreover, the health of children has been taken into account when formulating the radon decontamination grant provided to schools, preschools and home owners.

190. During 2006–2007 the Swedish Consumer Agency was responsible for the Swedish edition of the “*School Calendar – Consumer in Europe*”, an initiative by the European Commission. The risks and statistics concerning smoking were dealt with under the heading “Healthy Consumers”. Readers are also provided with tips on whom it is possible to contact to get help to stop smoking. Other areas raised are overweight, anorexia and bulimia.

191. Another activity related to children and health is the Nordic *project Survey of marketing of unhealthy food to children* which has been led by the cooperative organisation Swedish Consumers Association. Six TV channels have been examined and similarly some 60 periodicals targeted at children, direct advertising, websites on the Internet that children visit and club magazines from trade and industry. The project has been concluded and three reports have been compiled reporting on the results from the various parts, as well as a summary Nordic report.

192. In December 2003, the Government directed the Swedish Council on Technology Assessment in Health Care (SBU) to analyse and take stock of knowledge about girls with certain mental disturbances. SBU submitted *the report “ADHD in Girls – a review of the scientific knowledge”*. The Government Offices have subsequently forwarded this report to the Inquiry on the situation of young people in terms of stress and its consequences for mental health. The Inquiry submitted its final report⁴¹ in August 2006. The report is currently being processed by the Government Offices.

193. Number of children with HIV/AIDS according to statistics from the Swedish Institute for Infectious Disease Control:

Age group	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
0-4	5	3	3	2	2	4		3	1	6	3
5-9	3	3	1	1	1	3		1	4	5	6
10-14		1		2	1	1	1	1	3	3	3
15-19	4	3	5	1	5	3	4	9	8	11	5

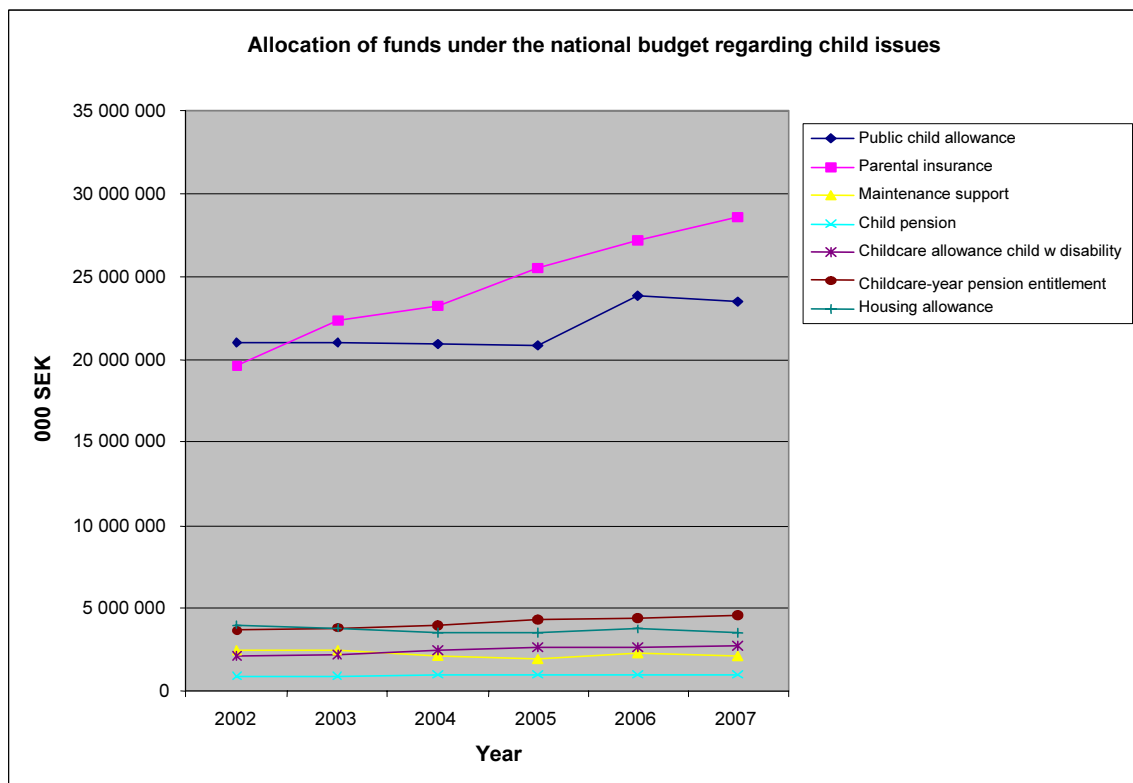
⁴¹ Swedish Government Official Reports SOU 2006:77

Child welfare

194. Most children and young people in Sweden have a good life and live in secure and good material circumstances with both or one of their parents. The Children's Ombudsman's survey of children and young people in school years 2-9⁴² shows that children are on average very satisfied with their life on the whole. They are also very satisfied with their body and health and how they feel. The same also applies to family relations, leisure, family finances and housing.

195. The best interests of the child is the starting point for the formulation of family policy. One fundamental endeavour is to create for all children equal conditions for growing up. This can be achieved, firstly, by supporting parents to cope with the financial commitments that are important for the welfare of children as they are growing up, and secondly, by offering opportunities to combine parenthood with gainful work or studies. Financial family policy support is formulated so as to provide financial security for families with many dependants. *The objective of financial family policy is that the differences in economic conditions between families with or without children should decrease within the framework of general welfare.*

196. Within the framework of the national budget, appropriations aimed at children are allocated to the public child allowance, parental insurance, maintenance support, child pension, childcare allowance for children with disability, childcare-year pension entitlement and housing allowance for families with children. The growth in appropriations over the last five years – in thousand kronor – is shown below:



⁴² BR 2005:03.

197. In 2003 the Government appointed a working group with the task of improving knowledge on matters relating to children living in financially vulnerable families. In its final report “*Economically vulnerable children*”⁴³ the working group described and analysed the causes of poor finances. The working group identified the labour market and general welfare as having particular significance for improving the financial situation of families with children. Even if most children in Sweden have a high material standard, some children still live in families with meagre financial resources. This group is dominated by single parents and families where the parents were born abroad.

198. In the 2004 Spring Fiscal Policy Bill, SEK 1 billion was allocated from 2006 for reforms for children. Just more than half of this appropriation went to improvements within maintenance support and housing allowance. Financially vulnerable families with children are in many occasions dependent on both of these kinds of support for their maintenance. Within housing allowance there was an increase in, among other things, the special allowance to children at home and an access allowance was introduced for parents who have their children living with them at times. A child supplement for student parents was introduced and the child allowance and the extended child allowance were increased. At the same time, a new large family supplement was introduced for the second child and the large family supplement was increased.

199. In 2005, the financial standard for cohabitees with children came to 93 per cent of the standard for households without children. *However, the difference in financial standards between these two kinds of households has decreased during the period 2000–2006. Cohabitees with children demonstrated better income growth than households without children during this period. The difference in financial standard between households without children and single persons with children has instead increased.* During 2005, the financial standard for single persons with children was 68 per cent of the standard for households without children. Single persons with children have had poorer income growth than households without children even if family policy contributes to raising the financial standard for them. The difference in financial standard in 2005 between cohabitees with children and single persons with children was just more than 35 per cent, which can mainly be explained by cohabitees sharing two household incomes. Between 2004 and 2006 all households show a considerable improvement in financial standards.

200. The Government is currently preparing a *family policy reform* involving a proposal for a municipal childcare allowance, childcare–voucher system, an increased pedagogical element at preschools and a gender equality bonus. The aim of these reforms is to ensure a secure childhood for all and establish good conditions for development. The Government considers that the proposal will enable parents to spend more time with their children. It will also increase freedom of choice for families with children. Opportunities for gender equality and shared responsibility for the children will be improved and diversity in preschool operations and school childcare will increase.

201. The Swedish Council for Working Life and Social Research (FAS) is responsible for the coordination of research regarding older people, disabilities, international migration

⁴³ Ministry Publications Series 2004:41.

and ethnic relations, social scientific alcohol research and, since 2005, *research regarding children and young people*. FAS's support to the research area increased during 2006 compared with the year before. It can be discerned from the following table that there has also been a pronounced increase in support by other funders. The Swedish Research Council and *Riksbankens Jubileumsfond* have increased their funding in particular.

Support to children and youth research 2005-2006 (SEK m):

Funder	2005	2006
FAS	31.6	44.1 ⁴⁴
Other	55.3	85.6
Total	87.8	129.7
FAS's share	36%	34%

202. In 2006, FAS also publicised a popular version of science research review, "*Vulnerable children – everyone's responsibility?*" In 2007, FAS was provided with SEK 10 million for research on children's health from a public perspective. The Swedish Research Council was also provided with SEK 5 million for this area.

203 One of the objectives of the Government's strategy to combat homelessness and exclusion from the housing market is that *no children should be evicted*. The Inquiry on eviction and homelessness among families with children⁴⁵ concluded that many children were or risked being adversely affected by homelessness. The Inquiry found that at least 1 000 children in total were evicted in 2004 and concluded that both initiatives within the social services and an improved housing policy are required, but that the current legislation is largely satisfactory. With the aim of improving and securing routines for municipal work to counteract eviction, particularly for families with children, the National Board of Health and Welfare has been instructed to produce material for guidance. In order to be able to follow up developments on an ongoing basis, the Enforcement Service has been instructed to compile statistics about evictions and in particular report on whether there are children in the households affected.

Child perspective in metropolitan policy

204. In March 2005 an Inquiry submitted a final report "The Mobile Metropolis"⁴⁶ and concluded that the metropolitan policy had set ambitious targets for breaking segregation and enhancing growth. The greatest success in metropolitan work has been cooperation and also the significant language initiatives conducted. These initiatives, among other things, have had very positive effects on enhancing the role of the mother tongue at school and in society as a whole. One effect has been that in all city districts that are encompassed by the local development agreements, all children aged between 3 and 5 are offered preschool part-time. Extra staff have been employed at all preschools and compulsory schools in the city districts, while the language skills of these staff have been enhanced through training and methodological development. In a large number of

⁴⁵ Swedish Government Official Report SOU 2005:88.

⁴⁶ Swedish Government Official Report SOU 2005:29.

housing areas there are also operations that aim to enhance the involvement of parents and pupils in the operations of the school.

205. In December 2006 a further 18 large municipalities were offered the possibility of negotiations regarding local development agreements for 2007. Currently 25 such municipalities have received this offer and up to August 2007, 20 municipalities have signed local development agreements. Deliberations are in progress in 2007 on the future of the long-term policy to break social exclusion. One central theme for the work of the Government is self-empowerment. Society must develop on the basis of the needs and capacity of the individual and providing people with real opportunities to influence their everyday life.

206. For more information about the application of Articles 6, 18.3, 23, 24, 26 and 27.1–3, we refer to Sweden’s previous periodical reports, particularly CRC/C/125/Add. 1, items 348–466.

VII. Education, leisure and cultural activities (Articles 28, 29 and 31)

Bullying

207. The Committee recommends that Sweden, in its efforts to prevent and combat bullying, focus in particular on children with disabilities and children of foreign origin.

208. The National Agency for Education’s report “Attitudes at School 2006” shows that 3 per cent of pupils in years 7–9 feel that they are bullied at school, a figure that has been constant since 1997. As regards younger pupils in years 4–6, the figure is 4 per cent; this has also been constant since the last survey in 2003. Four per cent of pupils feel that they are bullied by teachers and other adults at school, an unchanged proportion since 1997.

209. Sweden has conducted extensive measures as regards bullying – see above under items 61–62. In March 2005, the Government appointed a *Child and Pupil Representative For Equal Treatment* (BEO) with its own office within the National Agency for Education. The BEO supervises compliance with the Act prohibiting Discrimination and other Degrading Treatment of Children and School Students⁴⁷. The tasks of the BEO refer both to outward, general activities in relation to the responsible bodies and also legal support to individual children and pupils. The BEO will also disseminate information about the Act and provide advice regarding the application of the Act so that children and pupils get the right assistance and from the right discrimination ombudsman. Pupils and parents can also turn to the BEO if the child or pupil considers that he or she has been discriminated against or wronged in another way, for example at preschool, after-school recreation centres, primary and secondary or upper secondary school and adult education. Via the BEO the National Agency for Education can also bring proceedings for a child or a pupil for damages.

⁴⁷ Swedish Code of Statutes - SFS 2006:67.

210. The Swedish National Agency for School Improvement has been directed to formulate an *education initiative with a research-based action programme against bullying at school*.⁴⁸ The Agency is to compile and take stock of research-based methods and measures against bullying, whose effects have been systematically evaluated. Moreover, the Agency is to formulate an education initiative directed at municipalities and schools on the basis of the survey. The Agency is also to evaluate the effects of the methods that schools use against bullying. The Agency is to report on its assignment to the Ministry for Education and Research no later than 1 November 2010.

Education

211. The Committee was in particular concerned about children “in hiding” not having access to education and that study results differ between different regions. The Committee has recommended that all children be guaranteed the right to education, including children without a residence permit and “children in hiding”. The Committee also recommended measures to counteract the differences in study results between schools and regions and also measures to ensure access to vocational training and support in connection with the transition from school to work.

212. *Asylum-seeking children and young people are entitled to education, preschool activities and school childcare on the same terms as children resident in Sweden.* Children who have had their asylum application rejected and who are avoiding enforcement of a refusal of entry or deportation order (‘children in hiding’), do not have a corresponding right. The municipalities may however on a voluntary basis receive those children at school and they have also been allocated extra funds from the Government in order to do so. During 2006–2007 an inquiry chair has been directed to *review the conditions for regulating the right to education, preschool activities and school childcare for children in hiding*.⁴⁹ The inquiry chair has, among other things, investigated what the possible consequences of giving children in hiding the right to education might be and also how these could be resolved. The issues involved include, for instance, how a new system could be compatible with the current rules for access to information and secrecy and with the obligation to provide information and notification to the police and social welfare services. The assignment has also included possible practical difficulties, such as how the work of the police in enforcing orders will be affected, and similarly what compensation the municipalities should get and how this compensation should be structured. The inquiry chair, who concluded and presented the assignment and conclusions in May 2007, proposed a regulated right to education for children in hiding. This proposal is currently being processed by the Government Offices.

213. The National Board of Health and Welfare, the Swedish Institute for Special Needs Education, the Special School Authority and the National Agency for Education have been directed by the Government to clarify the division of responsibilities and to improve the efficiency of coordination between various responsible bodies as regards *support to children and young people with extensive disabilities*. This assignment was reported on in

⁴⁸ U2007/1205/S.

⁴⁹ Terms of reference 2006:28.

May 2005. The authorities have conducted a problem analysis, highlighted good examples and submitted a number of proposals. In 2004 the National Board of Health and Welfare conducted a survey of ‘*cooperation agreements*’ in relation to children and young people with disabilities. Only about 40 municipalities, of which most are in the County of Stockholm, state that they have such agreements. There is, however, considerable interest in cooperation agreements.

214. It is correct that the overall *tendency is that the differences between schools in Sweden are increasing*. However, Sweden has amongst the lowest measured differences between schools.⁵⁰ That part of the total variation found between schools in Sweden lies just over 10 per cent. About half of this variation can be explained by differences in the composition of the pupil population, such as the pupils’ socio-economic background, sex and foreign origin. The National Agency for Education has been directed to search for new information about the causes behind variations in goal achievement between responsible bodies and schools. One of the reasons for the differences between schools increasing are the weak results in housing areas where there is pronounced segregation and exclusion. In 2007, Statistics Sweden presented the report “Children, Housing Segregation and School Results”. It transpired from this report that many Swedish cities, both large and small, are characterised by housing segregation. Children of foreign origin are largely concentrated in a few housing areas. It has been shown that children who live in areas with a large proportion of children of foreign origin have poorer school results than other children. They more often get grades that make them ineligible for upper secondary school. In order to counter these problems, the Swedish National Agency for School Improvement has been directed to commence close collaboration with the municipalities, aimed at improving the quality of teaching. The Agency has prepared a strategy which, among other things, will improve the reception of pupils who have just arrived in Sweden.

215. *Reform of upper secondary school*. An inquiry has been appointed to investigate and submit proposals on the future structure of upper secondary school.⁵¹ The inquiry is to submit proposals for an upper secondary school with three main orientations: programmes in preparation for higher education, vocational preparatory programmes and apprentice training. Young people’s different interests and aptitudes must be utilised. At the same time, it is important to create good conditions for continued learning in working life. Better opportunities to choose specialisation may increase pupils’ motivation. More young people than before must have a chance of completing the education they have started. The inquiry will report on the assignment no later than 31 March 2008.

⁵⁰ PISA study, 2003.

⁵¹ Reform of upper secondary school, Terms of Reference 2007:8.

216. According to statistics received from the National Agency for Education, the *teacher-pupil ratio* in Swedish schools has developed as follows:

	Number of teaching staff (full-time posts per 100 pupils)
2000/2001	7.9
2001/2002	8.1
2002/2003	8.3
2003/2004	8.4
2004/2005	8.5
2005/2006	8.6
2006/2007	8.8

217. In March 2007 the Government decided on a *proposal for a national structural fund programme* (European Social Fund) for regional competitiveness and employment for the period 2007–2013. This programme must be approved by the European Commission. According to the proposal for the programme, the establishment of young people in the labour market must be given priority. This may partly involve initiatives relating to young people who are more or less excluded from the labour market; for example, initiatives directed at young people who have neither concluded their studies with complete grades nor have jobs. Second, it may involve preventive initiatives among all young people who are in the transition between studies and working life. With the aid of cooperation between various stakeholders, young people can at an early stage be offered an opportunity for learning during working life and establishing their own contact network with potential employers. Interaction between schools and working life can contribute to improved matching between the educational choices of young people, the actual content of their education and the skills required for working life.

218. In order to improve the knowledge of pupils regarding the labour market prior to their choice of upper secondary school, the National Agency for Education *has prepared information for pupils at primary and secondary school about the labour market and the preconditions for employment in various occupations and sectors of society*. The National Agency for Education has developed its web portal and supplemented it with more detailed information about study routes at upper secondary school, possible occupations and specialisations, labour market forecasts, statistics relating to pupils who have concluded their upper secondary school education and interviews with young people who have recently left upper secondary school.

219. The *responsibility of municipalities to provide information* is also relevant in this context. A new provision of the Education Act regarding the responsibility of municipalities to provide information for young people entered into force on 1 July 2005.⁵² This provision clarifies the responsibility of municipalities to provide information for young people up to the age of 20 who do not attend upper secondary school or have not completed a national or specially designed programme at upper secondary school. The National Agency for Education will monitor, first, how municipalities stay informed

⁵² Swedish Code of Statutes - SFS 1985:1100.

about young people who are unemployed, and second, what individual measures the municipalities offer to such young people.

Cultural policy from a child's perspective

220. The total *public resources within the child and youth culture area* are estimated to amount to about SEK 4 billion. The municipalities are responsible for most of these resources, where support to libraries and music and culture schools dominates. Integrated cultural activities are also conducted at preschools and other schools in accordance with approved policy documents. In 2006, 380 000 children and young people participated in *the operations of the music and culture schools*, which is the highest figure ever:

Operation	2006	2005	2004
Number of pupils who are reached by the music and culture schools' operations	380 000	359 000	363 000
In special subject courses (voluntary activity)	191 000	191 000	190 000
Other	189 000	168 000	173 000

221. In the autumn of 2004, the Government appointed an *Action Group for Children's Culture*.⁵³ The committee's main task was to submit proposals on how the status of children's culture can be improved. The committee was also directed to implement initiatives towards 'model cooperation' between municipalities aimed at disseminating exemplary forms for work with children and culture. A survey conducted by the committee shows that Swedish child and youth cultural activities maintain high quality. However, the ability of children and young people to benefit from activities for their own creativity differs depending upon the place of residence, the school they attend, local forms of cooperation and to some extent parental finances.

222. The Swedish Arts Council is the most important authority for realising the cultural policy objectives, among other means by allocating government funds to regional dramatic arts and to the free dramatic arts, where 70 per cent of the audience comprises children and young people. Children and young people are to be given priority when making grants, and for young people with disabilities the Council has a special responsibility for increasing accessibility within the culture sector. Through several forms of support the Council makes grants aimed at promoting literature to develop the reading and language skills of children and young people. The Swedish Arts Council also awards a prize in memory of Astrid Lindgren, a prize which is the world's largest literature prize (SEK 5 million) after the Nobel Prize in literature.

223. *The County Consultancy Operations* in visual art, dance and cultural diversity, which have children and young people as the main target group, have been extended nationally since 2002. The regional resource and production centres which, with the support of the Swedish Film Institute, work to promote increased opportunities for children and young people to their own moving pictures, both at school and in their leisure time, cover all the counties of Sweden.

⁵³ Terms of Reference 2004:117.

224. Since 2007, all government culture institutions have had an overall assignment, namely to ensure that *a child perspective is integrated into their activities, among other things through increasing the opportunity for children and young people to have influence and to participate*. The teaching departments established in recent times coincide with goals relating to development of the teaching activities and clearly indicate the priority given to this area. Active work is under way to develop methods to reach out to young audiences; here, *Internet-based material for education and inspiration* has gained a place.

225. Swedish children read an average of four books per month, which by international comparison is a high figure.⁵⁴ While surveys show a decrease in reading, the Internet has developed into an important medium for children and young people. Just over 50 per cent of 12 to 16-year olds and just over 25 per cent of 9 to 12-year olds use the Internet every day. It is most common for them to chat with friends and after that to play games.

226. Reading and the interest in reading among children and young people continue to be an area of high priority within cultural policy. Various forms of *government support are provided to, among other things, the publication and production of literature for children and young people*. “The Foundation for Easy-to-Read news information and literature” has been given a broader assignment to increase the range of easily read literature and news information at schools to promote reading among children and young people with reading difficulties.

227. *Libraries* are important for the participation of children and young people in cultural life overall. Virtually all county libraries have a consultant with a primary responsibility for children’s operations. In 2004, 45 per cent of all books borrowed were loans of children’s books. Approximately half of all school children are reached by some form of reading promotion operation within the public library’s outreach services. In order to inform and increase reading interest, support is given to the Children’s Library, a web-based library that is also accessible for children with disabilities.

228. *A special Government grant, which also covers children and young people, has been designed to promote the language and culture of national minorities.*

229. For more information about the implementation of Articles 28, 29 and 31, we refer to Sweden’s previous periodic reports and in particular to CRC/C/125/Add.1, items 467–543.

VIII. Special Protection Measures (Articles 22, 30, 32–36, 37 b and d, 38, 39, and 40)

Unaccompanied children

230. The Committee was concerned about the number of unaccompanied children who had disappeared from the accommodation units of the Swedish Migration Board

⁵⁴ Nordicom 2004.

and the protracted processing period for asylum applications. The Committee recommended the coordinated collection of information and statistics and increased coordination of the work of the police, social welfare services and the Swedish Migration Board, so as to be able to effectively intervene when children disappear. The Committee also recommended the appointment of a temporary guardian within 24 hours following arrival for each unaccompanied child, improvement of the training of professional groups concerned and regard being taken to the special needs of children and to child-specific forms of persecution.

231. *There has been a pronounced increase in the number of unaccompanied children seeking asylum in Sweden over the last year. In 2005, the figure was 398, which can be compared with 2006 when the figure more than doubled to 820. Most came from Iraq (337 children) and Somalia (101 children):*

	Girls	Boys	Total
2006	175	645	820
2005	143	255	398
2004	163	225	388
2003	195	366	561
2002	191	359	550
2001	163	368	531
2000	131	264	395

(Statistics according to the Swedish Migration Board and the Children's Ombudsman)

232. The new Act on Representation and Custodianship for Unaccompanied Children,⁵⁵ entered into force on 1 July 2005. The Act is directed at children who for refugee reasons or other reasons come alone to Sweden and seek a residence permit here. The new Act means, among other things, that the special representative's powers are extended. Instead of the absent parents, he or she will be able to act as both a guardian and custodian for the child. Having a special representative who also acts as the responsible custodian is expected to reduce the risk of the child absconding from its allotted accommodation. The Chief Guardian appoints special representatives. According to the Act, this should be done as soon as possible. In the spring of 2006, the Riksdag ordered an amendment to the Act whereby special representatives should be appointed within 24 hours of the child having arrived in Sweden. In connection with this, a special questionnaire was sent to several municipalities with the aim of establishing the processing times at present. The responses are currently being processed by the Ministry of Justice.

233. On 31 March 2006, *a new system for appeals and procedures entered into force as regards aliens' cases.* According to the new system, decisions of the Swedish Migration Board may be appealed against to the migration court. The staff appointed to the newly established migration courts have undergone training in child issues.

234. Amendments to legislation have also been implemented as regards the reception of unaccompanied children. On 1 July 2006, *the responsibility for the accommodation of unaccompanied children was transferred from the Swedish Migration Board to the*

⁵⁵ Swedish Code of Statutes - SFS 2005:429.

municipalities. The aim of this was to improve the protection of unaccompanied children. The municipalities, with their experience and skill, were considered to be more suitable for taking care of children than the Swedish Migration Board. At the same time the role of the Board was made more specific, that is to primarily be the authority that investigates and assesses applications for residence permits. The Swedish Migration Board still has the overall responsibility and concludes agreements with municipalities on accommodation and care within the framework of the reception of unaccompanied children. The short time the municipalities have had to prepare for this, combined with the great increase in the number of asylum-seeking children, has resulted in an insufficient number of municipalities having concluded agreements with the Swedish Migration Board for more permanent accommodation places. There are still far too many children remaining in temporary housing at the ‘arrival municipalities’.

235. The Government’s 2007 Spring Fiscal Policy Bill⁵⁶ contains *measures aimed at improving reception* and to get more municipalities to receive asylum-seeking unaccompanied children. The annual basic compensation given to municipalities receiving unaccompanied children increased from SEK 500 000 kronor to SEK 1 million during 2007. In addition, compensation is paid to the municipalities for necessary care even after the child’s 18th birthday and until the person in question has attained the age of 21, subject to the condition that such care has commenced prior to the age of 18. Compensation to municipalities for places in group housing has also been increased. A more uniform compensation system for the municipalities will ultimately apply both to the period as asylum seeker and after any residence permit has been granted. Through these changes the municipalities are afforded better planning conditions, but above all else, this entails greater security for the children so that they will avoid needing to change the place of residence, school, etc. for as long as possible.

236. In 2006, 95 unaccompanied children absconded following their arrival in Sweden. This is a reduction compared with 2005, when the number amounted to 153. This reduction occurred despite the number of unaccompanied children having increased greatly over the last year. The decrease can partly be explained by a reduction of unaccompanied children from China, who previously comprised a large proportion of absconding children. It has transpired that these disappearances were part of organised criminal activity with the aim of channelling the children to unknown final destinations in the western world and Sweden was used as a transit country. Swedish foreign missions have had contact and cooperated with authorities and other stakeholders in China with the aim of combating this criminal activity. So far, this has yielded good results. More extensive cooperation with various Swedish stakeholders has also contributed to a reduction in absconsions following arrival in Sweden. The Swedish Migration Board, the police and the social welfare services in Sigtuna, one of the municipalities in Stockholm with the largest number of unaccompanied children, are currently preparing a common action plan with the aim of preventing and reacting to absconsions. At present, *a review* is also being conducted of the *reception of asylum seekers and others*, where the official conducting the review is required to have particular regard to the interests of children and young people in the reception process.

⁵⁶ Government Bill 2006/07:100.

237. The Government's 2007 Spring Fiscal Policy Bill⁵⁷ also contains measures to ensure that *the Swedish Migration Board has the capacity to deal with the increased number of asylum seekers and to cope with the set processing times of six months, and three months for unaccompanied children*. The proposed increases in appropriations will enable the Board to make decisions in 39 000 asylum cases in 2007 and 42 000 in 2008. Since more people are now seeking asylum in Sweden than the Government had previously estimated, it is proposed that the appropriation for compensation and housing costs for asylum seekers and others be increased this year by SEK 743 million to facilitate the payment of allowances to asylum seekers and compensation to municipalities and county councils for health care, education and other purposes.

238. The Swedish Migration Board has implemented several *measures aimed at ensuring that any child-specific forms of persecution are taken into account*. Besides the interview guide that has been prepared and which is to form the basis for interviews with children, the Swedish Migration Board has also introduced guidelines in its internal manual on how investigations involving children should be conducted. In those cases where children have claimed special reasons for a residence permit, these are reported by the Board in its decisions. Public counsels are also urged to take particular account of the child's own grounds for asylum or a residence permit.

239. In July 2005, on the basis of a leading decision made by the Government relating to a child with severe withdrawal behaviour, the Swedish Migration Board *issued internal instructions for dealing with cases involving children* – both in its case-considering operations and in its reception operations. These instructions, which relate to all children, indicate that before the Board's employees make a decision in an asylum case, they must adopt a position on how a refusal-of-entry decision would influence the child's psychosocial development. The position adopted must be reported in the decision. In order to adopt a position, it is necessary to have child-focused parental discussions. A specialist group at the Swedish Migration Board has implemented and will implement follow-ups to ensure that the instructions have achieved the desired impact.

Family reunification

240. The Committee expressed concern about the long processing times in cases involving family reunification for people with refugee status and recommended measures for applications for family reunification to be dealt with in a humane and expeditious manner.

241. On 30 April 2006, statutory amendments entered into force relating to family reunification for unaccompanied children. Through these amendments to the Aliens Act⁵⁸ and the Aliens Ordinance, Sweden has implemented Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification. *A parent of an unaccompanied child who is a refugee or otherwise in need of protection is entitled to a residence permit*. The amendments also involve a new provision whereby *cases involving residence permits on the*

⁵⁷ Ibid.

⁵⁸ Swedish Code of Statutes - SFS 2005:716.

grounds of family reunification shall be determined no later than nine months from when the application was received.

Sexual exploitation, human trafficking

242. The Committee recommended that Sweden strengthens the protection measures for children using the Internet and increase the children's awareness of the negative aspects of the Internet. The Committee also recommended measures to reduce and prevent the occurrence of sexual exploitation and human trafficking. The Committee also recommended that the legislation against the possession and production of child pornography be made more stringent, and that prosecution of Swedish nationals engaging in sexual exploitation of children abroad be facilitated, among other measures by prohibiting reissue of passports to suspects of such offences who have been released on bail. The Committee recommended that the protection of victims of sexual exploitation and human trafficking for sexual purposes be improved.

Protection against abuse via the Internet

243. The work of the schools on Internet issues focuses on pupils learning to be critical of sources, ethics on the Internet and secure Internet use. In order to support the work of the schools on being critical of sources, the Swedish National Agency for School Improvement (MSU) has set up the *website 'Check the source!'*. This includes information searches, criticism of sources, copyright, etc. In the past six years the Agency has arranged lectures throughout Sweden about the Internet, criticism of sources and secure Internet use for several thousand teachers, librarians and parents. MSU has also launched material⁵⁹ to support staff at preschool and the schools' first few years in efforts to lay the foundation for a curious yet critical approach to the Internet.

244. *Since 2002, the Media Council has been participating in the EU project SAFT (Safety Awareness, Facts and Tools) which aims to promote more secure use of the Internet among children and young people. The Media Council is Sweden's 'Awareness Node' and MSU was a partner in this work during the years 2005–2006. Together with MSU, the Council has prepared the material *The Young Internet* and arranged conferences to provide support to teaching and discussion concerning the Internet and other media. As of 2007, the Media Council is working with BRIS to build up a special help line to which children and young people can turn to get advice and support concerning their experience of the Internet. The Media Council has also produced a brochure, *Ten tips to parents with surfing children*. (See also under items 101–105.)*

245. According to information from the police, *seeking contact with children for sexual purposes ('grooming')*, is a common occurrence on the Internet. The initial contacts made with children may be harmless and are taken to build up the child's trust. These contacts can then result in the child being encouraged to display his/her body through a web camera or in another way send pictures of itself. The contact can also result in physical meetings where the child is subjected to sexual abuse. Various penal provisions may cover

⁵⁹ Swedish National Agency for School Improvement, Superundersökarna [the Super Investigators].

the conduct referred to here, for example sexual molestation, purchase of sexual acts from children or exploitation of children for sexual posing, child rape and sexual exploitation of children. Except for sexual molestation, these offences are punishable at the attempt phase.

246. The National Council for Crime Prevention (BRÅ) and the Prosecutor-General have been given the assignment of reviewing and surveying the scope and nature of the problem and also what can be done to prevent and combat the phenomenon. Their reports were presented in April 2007. The investigation presented by the Prosecutor-General proposed a new penal provision, *contact with children for sexual purposes*, to be introduced into Chapter 6 of the Swedish Penal Code. According to the proposal, it will be punishable for adults to have contact with children – aged under 15 – if the aim of the contact is to commit a sexual offence against the child. The investigation also emphasised the importance of educating children and parents about the dangers associated with Internet contacts with adult strangers. The proposal is currently under consultation. BRÅ has reported on its part of the assignment in the report “Sexual contacts of adults with children via the Internet”.⁶⁰ According to a school survey covering 7 500 young people in year 9, conducted by BRÅ, more than 30 per cent of the young people stated that they had been exposed to some form of sexual contact during the past year by a stranger who they believed to be or knew was an adult. The girls said that they had been exposed to such contacts to a far greater extent than the boys. Most of the young people answered that they had been contacted via the Internet. Only about two per cent of both boys and girls stated that they had been subjected to a contact with a sexual purpose from an adult only outside the Internet.

Combating human trafficking

247. On 1 July 2004, *the penal liability regarding the offence of trafficking in humans for sexual purposes was extended*. This offence, which is now entitled ‘trafficking in human beings’, also includes human trafficking that is not cross-border and human trafficking aimed at forms of exploitation other than such exploitation, for example, forced labour. The penal liability was also extended to refer to further trafficking actions and now comprises those who recruit, transport, house, receive or implement any other such measure with a person and thereby take control of the person. If the offence is directed towards a person aged under 18, it is not required that any improper means have been used.

248. Since 2006, a *review of the penal provision on human trafficking* has been in progress. One of the issues being analysed within the framework of this review is Sweden’s accession to the Council of Europe Convention on trafficking in human beings, which Sweden signed in May 2005. The inquiry will also analyse whether the current legislation in criminal law respects offers sufficient protection against child marriage and forced marriage.

⁶⁰ National Council for Crime Prevention (BRÅ), Report 2007:11.

249. At the Swedish Prosecution Authority, cases involving human trafficking and sexual exploitation of children within tourism and travel are normally dealt with by a prosecutor at one of the three international public prosecution offices located in Stockholm, Göteborg and Malmö. These *prosecutors are specialists in serious cross-border crime and have special knowledge and experience as regards these kinds of offences*. The Office of the Prosecutor-General also has a *coordination function for international issues* that regularly provides operative support to prosecutors in criminal investigations relating to human trafficking and sexual exploitation of children within tourism and travel.

250. The Swedish Prosecution Authority is also participating in *Cooperation against human trafficking*, which is a development partnership within the European Social Fund's Equal Programme aimed at combating human trafficking. The project period runs until the end of 2007. The aim includes the establishment of a national model for criminal investigations and ongoing exchange of experience between the organisations. A website has been set up within the framework of this partnership.

251. In its directions to the police, the Government has stated that SEK 10 million should be used annually between the years 2004 and 2006 *to combat human trafficking*. These funds have, among other things, been used for training work (at the police academy, for contact persons at the police authorities, prosecutors and embassy officers). The National Criminal Police has also started a survey of the extent to which children are subject to human trafficking in Sweden. Within the framework of international cooperation in this area, Sweden has also been responsible for a survey of the awareness and prevalence of trafficking in children in the Baltic Sea Region. In order to be able to discover human trafficking at an early stage, the National Criminal Police has conducted continued education initiatives and network-building in relation to, among others, the Swedish Migration Board and Swedish missions abroad.

252. An action plan has been prepared within the framework of the *Baltic Sea cooperation* concerning unaccompanied children who cross borders or who are victims of human trafficking. Ukraine, Belarus and Moldova are also participating in this cooperation. There is a national contact point in 12 of the 14 cooperating countries to facilitate bi- and multilateral contacts in individual cases. Work with training the professional groups concerned is also in progress.

253. Sweden *has ratified the supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organised Crime*.

Action against sexual offences against children and child pornography

254. The table below shows the number of sexual offences against children and child pornography offences reported. It should be noted that on 1 April 2005, a new penal provision on child rape was introduced, which explain the large increase in this kind of crime during 2006:

	Year						
	2000	2001	2002	2003	2004	2005	2006
	Number	Number	Number	Number	Number	Number	Number
Exploitation of child for sexual posing							22
Attempted rape, against children under the age of 15	52	48	41	48	42	62	75
Completed rape, against children under the age of 15	248	285	346	418	437	672	1,059
Sexual coercion, against children under the age of 15	1,201	1,192	1,359	1,480	1,409	1,201	1,041
Sexual molestation, against children under the age of 15	1,265	1,391	1,404	1,339	1,378	1,412	1,428
Arbitrary conduct with a child	812	942	936	1,042	1,085	1,192	1,140
Child pornography offences reported							

Crimes reported	National Council for Crime Prevention						
	Year 2000	Year 2001	Year 2002	Year 2003	Year 2004	Year 2005	Year 2006
	Number	Number	Number	Number	Number	Number	Number
All Sweden							
Child pornography offences	239	374	396	351	600	553	368

(Source: National Council for Crime Prevention (BRÅ))

255. On 1 April 2005, *new sexual offences legislation* entered into force. The aim of the new legislation is, among other things, to in various ways emphasise and improve the protection of children and young people who are victims of sexually degrading treatment. The legislation contains *a new penal provision on child rape* aimed at the most serious sexual offences against children. According to this provision, it is no longer required that any violence or threat has been used in connection with the abuse. A person who has had sexual intercourse with a child under the age of 15 or who carries out another serious degrading sexual act with such a child is to be sentenced for rape. The provision also includes cases where children aged between 15 and 18 are exploited by certain closely related persons or other persons having special responsibility for them. A person who conducts sexual acts with a child other than those referred to in the penal provision on rape, is to be sentenced for sexual abuse of a child.

256. A special provision aimed at *protecting children from being exploited for sexual posing* has been introduced in the Penal Code. Any person who promotes or exploits a child

aged under 15 to perform or participate in sexual posing is to be sentenced for exploitation of a child for sexual posing. This offence also covers such acts committed against a child who has attained the age of 15 but not 18, if the posing is likely to harm the health or development of the child.

257. *The prohibition against purchase of sexual acts from children has also been made more stringent.* Among other things, the penal provision has been extended to also include the purchase of sexual acts from children that occur under circumstances other than those that constitute a pure prostitution situation. The aim is to encompass situations that in time can lead the young person into prostitution. The maximum penalty for the offence has also been increased.

258. Swedish courts have wide powers to issue sentences for offences committed abroad. This competence is in some cases limited, among other things, through a requirement for double criminality. Since 2005, *double criminality is no longer required to be able to issue sentences in Sweden for serious sexual offences against children aged under 18 that have been committed abroad.* To further improve the means of redress for children, the time limitation for certain sexual offences against children has also been extended so that the period does not begin until the date when the child attains or would have attained the age of 18.

259. *The maximum penalty for grave child pornography offences* has been increased from imprisonment for four years to imprisonment for six years.

260. Through an *EU decision on measures to combat sexual exploitation of children and child pornography*, adopted on 22 December 2003, the Member States have agreed on common minimum rules as regards penal action to combat sexual exploitation of children and child pornography. The EU decision was implemented into Swedish law on 1 April 2005 (see above under items 255–259).

261. Since 2005, a review has been in progress *of the legislation against child pornography*, which aims to facilitate more efficient combating of child pornography and to strengthen the position of the child in connection with child pornography offences. The inquiry has been instructed, among other things, to deliberate on whether a *definite 18-year limit in the definition of a child* can be introduced into the provisions on child pornography, whether there is a need for further criminalisation of possession of child pornography, whether children who are depicted in child pornography material can be regarded as aggrieved parties and be entitled to compensation and also whether the requirement of double criminality in connection with child pornography offences can be removed or limited. The inquiry will report no later than 31 August 2007.

262. Child pornography offences are dealt with both in the prosecutors' basic training and in their advanced training. *Training in processing of child pornography offences* has also been introduced in the training for prosecutors regarding IT offences and securing of evidence in IT environments, which is high-level training available to all prosecutors. The Swedish Prosecution Authority has also compiled a legal memorandum to serve as an *aid for prosecutors* dealing with matters relating to child pornography offences. This

memorandum deals with issues relating to preliminary investigations and trials. It also contains a report on judicial practice relating to child pornography offences.

263. On 7 December 2006, the Government decided to *ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*. In order to be able to accede to this protocol, a new offence was introduced on 1 July 2006 into the Penal Code, improper extraction of consent to or permission for adoption of children. Through this provision, the improper eliciting by intermediaries of consent or permission for the adoption of children was criminalised. An attempt to commit such an offence was also criminalised.

National action plan against sexual exploitation of children

264. A government inquiry *directed to compile information about the sexual exploitation of children in Sweden* reported on its assignment in 2004.⁶¹ The inquiry concluded that it was not possible to assess exactly the full scope of the problem, but the work of the inquiry showed that the number of children is significant. The inquiry submitted proposals in a number of areas, which have been forwarded to the respective responsible ministry for further processing. The Swedish Children's Welfare Foundation was granted funds to arrange a number of regional conferences about sexual exploitation of children and produce a summary of the report and disseminate it to actors concerned.

265. For this reason, the Swedish Children's Welfare Foundation held four *regional conferences* during 2005 for professional groups who in various ways meet sexually exploited children. The Swedish Children's Welfare Foundation also arranged an international expert seminar and a conference on the theme 'Expert Meeting on Children and Young Persons with Abusive and Violent Experiences Connected to Cyberspace'. The Swedish Children's Welfare Foundation is continuing its work to disseminate information about sexual exploitation of children in Sweden through regional round table discussions.

266. The Government is currently following up the *national action plan against sexual exploitation of children*. In parallel with the follow-up, work is being conducted within the Government Offices to *update the action plan*. It is projected that this work will be complete during the autumn of 2007. Furthermore, the Government intends to present a national action plan in 2007 against prostitution and trafficking in people for sexual purposes, focusing in particular on women and children. The two action plans will complement each other.

Other protection against abuse

267. *The Records Checks for Preschool, School and School Childcare Personnel Act*⁶² contains provisions on a special review of appropriateness when making appointments in public and private preschool services and school childcare, as well as in the preschool

⁶¹ Swedish Government Official Report SOU 2004:71.

⁶² Swedish Code of Statutes - SFS 2000:873.

class, compulsory school and other forms of school at primary and secondary level and corresponding independent schools. This review entails that a person who is offered employment must submit an extract from the police criminal records to the employer. A person who does not submit such a register extract must not be employed. However, there is no prohibition against employing a person who has been sentenced for an offence. Instead, it is the responsibility of the employer to decide on this. The Government Offices are preparing proposals to amend the Act whereby the *group of people subject to the obligation to submit register extracts will be expanded*.⁶³

Crimes against children to be investigated under the same roof

268. The Swedish Prosecution Authority has been directed, together with the National Police Board, the National Board of Forensic Medicine and the National Board of Health and Welfare, to participate in the establishment of *trial operations with cooperation under the same roof in investigations involving children who it is suspected have been exposed to serious crime*, for example sexual abuse and assault. The trial operation has been launched in six locations. The aim of the assignment is that investigations in which it is suspected that children have been subjected to offences should be adapted to the children. The children should not need to have several different contacts at different places, but should come to a single place. Nor should the children need to unnecessarily undergo repeated questioning and interviews by different people for different purposes. Another aim of the assignment is to enhance the quality of the investigations through methodological development. This is to be done through close collaboration in each individual matter, but also at an overall level. The final report for this assignment will be submitted no later than 1 March 2008.

Legal protection for young people

269. The Committee recommended that all prosecutors and judges dealing with child matters have relevant knowledge and that penal measures should only be imposed by a legal authority following legal adjudication with access to legal aid. The Committee also recommended preventive measures to rectify the social discrepancies that lead to crime and promote criminal activity.

270. The Swedish legislation is compatible with the Committee's recommendation that *penal measures only be imposed by a legal authority following legal adjudication with access to legal aid*. The statutory amendments in question regarding the sanction system for young offenders that entered into force on 1 January 2007 do not contain any changes in this respect (see also under items 271–274).

271. It has been possible since 1 January 2007 to appoint legal counsel for people aged under 15 – and who therefore cannot be punished – who are suspected of committing an offence, if there are extraordinary reasons to do so. It is intended that this option may be used, for instance, when very serious crime is involved or when the investigation may result in large claims for damages being made against the young person. If the young

⁶³ Ministry Publications Series 2004:42.

person has attained the age of 15, a public defence counsel can, as previously, be appointed for the young person.

272. *Combating youth crime* is a prioritised issue. Basically all of Sweden's local public prosecution offices have appointed special prosecutors to deal with matters where the suspected perpetrator is aged under 18. Many local public prosecution offices also participate in projects to reduce criminal behaviour among young people. There is also special training for prosecutors in this area. In both the prosecutors' basic and advanced training there are modules on young offenders. The advanced training was introduced during the autumn of 2005 and is offered every term. It is directed at prosecutors who work with youth cases.

273. During the years 2005–2006, the Swedish Prosecution Authority carried out a project regarding *processing of youth cases*. This project contained several parts, among other things, the preparation and implementation of training for youth prosecutors and the preparation of guidelines for processing youth cases. The guidelines entered into force in June 2006. They aim to establish consistent legal application and facilitate processing of youth cases by prosecutors.

274. As of 1 January 2008, the *municipalities will be obliged to provide mediation in response to crimes* where the perpetrator is aged under 21. Mediation is not a sanction for an offence and will also in future continue to be based on voluntary participation by perpetrators and crime victims.

275. In June this year, the National Council for Crime Prevention (BRÅ) reported on a Government assignment relating to children who commit crimes. In its report, among other things, BRÅ has pointed out that there is great variation in the proportion of reports investigated when the suspect is aged under 15 and that the Crime Victim Compensation and Support Authority rejects a number of applications for crime victim compensation when the perpetrator is aged under 15, referring to the grounds that the investigation information base does not contain sufficient information.

Children who have been deprived of their liberty, including all forms of detention, imprisonment or compulsory care

276. On 1 January 2007, a number of *amendments to the Penal Code and other acts relating to sanctions for young offenders entered into force*.⁶⁴ The aim of these amendments is, among other things, to be able to reduce the use of fines and sanctions involving deprivation of liberty for young people who have committed crimes. The amendments entail the introduction of, among other things, a special youth sanction: community service for young offenders.

277. *Community service for young offenders* has been introduced as a separate sanction. It involves a person who is aged under 21 being ordered to perform unpaid work or other specially arranged activity as a sanction for a crime, for at least 20 and at most 150 hours.

⁶⁴ Government Bill 2005/06:165.

In the first instance, community service for young offenders will only come into question for young people aged under 18. For a sentence of community service for young offenders to be imposed, the young person must consent to it and the sanction must be appropriate considering the individual and other circumstances. It is intended that community service for young offenders will replace both higher fine penalties and short deprivations of liberty.

278. The possibility of transferring a young perpetrator to care within the social welfare services will remain, and is now called *juvenile care*. A young person must now have a special need for care or other measures that the social welfare services can satisfy. If the young person does not have such a need, or only a minor such need, community service for young offenders may for instance be selected instead. The option of combining a transfer to care within the social services with community service for young offenders will remain available. The combination of sanctions can be selected to a greater extent than before as an alternative to sanctions involving deprivation of liberty for young people, primarily those under the age of 18.

279. Youth care and community service for young offenders can only be imposed by a court. As previously, all sanctions that may come into question for adult offenders can also be used for young offenders. However, the starting point is that the special youth sanctions, that is to say youth care and community service for young offenders, should have priority.

280. Statistics from the National Council for Crime Prevention (BRÅ) provide the following profile of people aged between 15 and 17 who have been prosecuted for crimes, and the main sanction:

	2002	2003	2004	2005
Main sanction				
All judgments, summary penalty orders and waivers of prosecution	12 323	12 305	13 147	12 609
Of which:				
Judgments	5 001	4 912	5 014	5 041
Imprisonment	7	5	8	6
Closed juvenile care	95	98	115	98
Transfer to care within social welfare services	2 428	2 328	2 416	2 624
Summary penalty orders	4 701	4 750	5 244	4 964
Total waivers of prosecution	2 621	2 643	2 889	2 604

Protection against abuse and neglect

281. On 1 July 2003, a special ground for making a penalty more stringent was introduced for crimes that were likely to harm the security and trust of a child in his or her relationship with a closely related person. The aim of the legislation is primarily to clarify and emphasise that crimes against closely related children should often be viewed as being more serious precisely because the child is at risk of being deprived of his or her sense of security. However, this ground for enhancement of the punishment is not limited to

offences aimed directly at children. It also includes cases where offences are committed in the presence of a closely related child, for example when a child witnesses a parent being hit by the other parent or some other person closely related to the child.

282. With the aim of monitoring the development of children's attitudes to and experience of physical punishment and the attitudes of parents to and use of physical punishment, the Swedish Children's Welfare Foundation has been instructed by the Government to, in cooperation with Statistics Sweden, follow up the survey conducted by the Committee against Child Abuse in 2000. This follow-up survey was reported in October 2007.

283. A new *Investigations regarding children who have died as a consequence of crime, etc. Act*⁶⁵ applies as of 1 January 2008. This provides that an authority must conduct an investigation when a child has died as a consequence of crime or if there is special cause to assume that the death was related to circumstances where the child was in need of protection. These investigation activities are intended to provide an information base for proposed measures to prevent children from harm.

284. Since 2003, the Social Services Act has contained a rule governing *cooperation between the social welfare services and other relevant authorities concerning children and young people who suffer or are at risk of suffering harm*. The National Board of Health and Welfare, together with the National Police Board and the Swedish National Agency for School Improvement, have been instructed to produce a strategy for cooperation. Children should be given support and protection on the basis of a holistic view and at an early phase of unfavourable developments. *The authorities have produced a project plan extending over five years*. The strategy will be reworked during 2007, used in the authorities' joint work and disseminated as guidance for cooperation at local level.

285. The National Board of Health and Welfare has followed up how the new provision in the Social Services Act has been applied at local level and reported this in *the report "Cooperation Concerning Children Suffering Harm"* (2006). The National Board of Health and Welfare concludes that the statutory support, despite some difficulties, has contributed to better conditions for stable local cooperation concerning both preventive work and early support. However, there is often no follow-up and evaluation of the cooperation, which means that it is not possible to demonstrate any quality gains.

286. For more information about the implementation of articles 22, 30, 32–36, 37 b and d and 38–40, we refer to Sweden's previous periodic reports and in particular to CRC/C/125/Add.1, items 544–651.

IX. The Optional Protocols to the CRC

287. The Committee recommended that Sweden ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and also submit its first report regarding the Optional Protocol

⁶⁵ Government Bill 2006/07: 108

to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

288. Sweden ratified the *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict* in February 2003. The first report on the application of the protocol was sent to the Committee on the Rights of the Child and was dealt with by the Committee in May 2007. In December 2006, Sweden also ratified *the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography*.

X. Follow-up and dissemination

289. The Committee recommended the full implementation of its recommendations, among other things, by submitting them to members of the Government and members of the Riksdag for deliberation and further action. The Committee also recommended that the concluding observations be made available to the public with the aim of creating debate and awareness about the Convention, its implementation and follow-up.

290. Both Sweden's report to the Committee on the Rights of the Child and the Committee's Concluding Observations have been published on the Government's website for human rights⁶⁶ and on the Ministry of Health and Social Affairs' website.⁶⁷ As regards dialogue with the Riksdag on these matters, the Riksdag debate which took place in the spring of 2005 in connection with Sweden's third report and the Committee's recommendations in conjunction with this report should be noted. The issues raised by the Committee on the Rights of the Child have been dealt with both within the framework of the regional conferences arranged by the Children's Ombudsman in 2006–2007 and in the campaign 'A Sweden for Children', which took place in 2006 (see above under item 21).

Further work on the recommendations of the Committee on the Rights of the Child

291. Government reporting and the examination and recommendations of the Committee on the Rights of the Child constitute a constructive dialogue which is likely to support national work to realise the provisions of the Convention. Through its recommendations the Committee on the Rights of the Child usually confirms the Government's own problem analyses and prioritisations. The Government is endeavouring, in the preparatory procedure for statutory proposals, committee terms of reference, instructions to public authorities, etc., on an ongoing basis to take into account and consider the Committee on the Rights of the Child's problem analyses and recommendations on a particular issue. Even if the Government's deliberations and assessments do not always correspond with a recommendation of the Committee, the Government is anxious to find appropriate solutions to the problems giving rise to the recommendations. The Committee's recommendations are analysed on an ongoing basis within the Government Offices.

⁶⁶ www.manskligarattigheter.se

⁶⁷ www.regeringen.se/social

292. There are about 2 million children living in Sweden today. Work to implement the CRC will continue. Sweden has good potential in many areas to reach further than the CRC's provisions. The Government's visionary goal is that Sweden will be a country where every girl and boy gets the best conceivable start in life. Regardless of race, colour, sex, nationality, ethnic or social origin, sexual orientation, disability, family financial status or place of residence, children in Sweden must all have the necessary conditions to develop their personality, capacity and supportive environment.

Appendix 1: Swedish Code of Statutes - SFS 2006:67: Act Prohibiting Discrimination and Other Degrading Treatment of Children and School Students