



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Sixty-eighth session

12–30 January 2015

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues in relation to the fifth periodic report of Sweden

**The State party is requested to submit in writing additional, updated information, if possible before 15 October 2014 (10,700 words maximum).**

*The Committee may take up any aspects of the children's rights set out in the Convention during the dialogue with the State party.*

## Part I

**In this section, the State party is requested to submit its responses to the following questions.**

1. With reference to paragraph 28 of the State party report (CRC/C/SWE/5), please provide information on the current discussion of giving the Convention the legal status of a law.
2. Please provide detailed information on the resources allocated to the implementation of the Convention. Please also indicate whether the State party systematically evaluates whether the allocation of international development aid brings tangible benefits to children and contributes to implementing the Convention abroad.
3. Please indicate the measures taken to eliminate the existing disparities between municipalities regarding access to services such as health or education.
4. Please give information on whether there is any intention to amend the current anti-discrimination legislation with a view to including all grounds of discrimination contained in article 2 of the Convention. With reference to paragraphs 115 and 116 of the State party report, please indicate the measures taken to combat children's discriminatory attitudes towards those belonging to disadvantaged or marginalized groups.
5. In view of Swedish legislation, in particular the Aliens Act establishing the right of the child to be heard only if it is not inappropriate, please elaborate under which circumstances it would be considered inappropriate to allow a child to express his or her views, taking into consideration the report of the Ombudsperson in that regard.

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6. Please indicate whether there is any intention to cease the use of straps or belts on and the solitary confinement of children, including children with disabilities, in mental health-care settings.
7. Please comment on the findings of the Ombudsperson that solitary confinement is used in a manner that is inconsistent with Swedish legislation and/or the guidelines issued by the National Board of Institutional Care and that, in certain cases, children placed in solitary confinement lack access to basic hygiene. Please also provide further detailed follow-up to the concluding observations of the Committee on solitary confinement (CRC/C/SWE/CO/4, para. 70), in particular regarding the use of solitary confinement as a method of punishment.
8. With reference to paragraph 176 of the State party report related to the rise in abuse and neglect of children, please provide information on the child protection system in place in the State party to prevent domestic violence and to address situations of abuse and neglect. Please indicate the measures taken to ensure that all cases are reported on time, and whether any particular reporting mechanism is currently in place and known to children. Furthermore, please provide information on whether the rise in abuse and neglect has resulted in increased prosecution and indicate the measures taken to increase the capacity of professional groups working with and for children to identify child victims of violence. Please also provide information on the measures taken to address the lack of a chain of care in large parts of the State party.
9. Please indicate whether there is any intention to increase resources allocated to already existing helpline services, and whether any measures have been taken to establish a helpline service covering the whole country, including every municipality, and to ensure the provision of follow-up measures.
10. Please comment on reports that children of incarcerated parents are faced with practical difficulties in meeting their parents. In view of the “principle of closeness” having been abolished, please report on measures taken, if any, to ensure that children can maintain relations with their parents, even when living far away from the prison in which the parent is incarcerated.
11. Please provide detailed information on the steps taken to ensure full inclusion of children with disabilities in the mainstream school system and to repeal the provisions of the Education Act which allow schools to refuse to admit a child with a disability if their admission would create significant organizational or financial difficulties. In so doing, please comment on reports that inclusion is not always successful and that the specific needs of children with disabilities and children with learning difficulties are not sufficiently taken into consideration. Please provide information on the follow-up given to the findings of the Committee on the Rights of Persons with Disabilities (CRPD/C/SWE/CO/1, para. 15) and the Children’s Ombudsperson on children with disabilities to the effect that children with disabilities are exposed to higher rates of violence than their non-disabled peers and that there is a lack of awareness among staff working with children. Please inform the Committee of any prevention initiatives taken in that respect, as well as of measures taken to protect such children from violence.
12. Please provide information on measures taken to eliminate the persisting health disparities between children of different economic backgrounds.
13. With reference to paragraph 131 of the State party report, please provide updated information on the project aiming to reduce self-harm among young people. Furthermore, please indicate the measures taken to address the issues of children diagnosed with attention deficit hyperactivity disorder and/or attention deficit disorder, who are being given amphetamine and amphetamine-like psychostimulant drugs instead of being provided with alternative treatment. In so doing, please provide detailed information on the procedures for

diagnosis and whether any safeguards on and/or periodic reviews of instances of such diagnosis and medication are currently in place.

14. With reference to paragraph 129 of the State party report, please indicate:

(a) How the best interests of the child are ensured at every stage of the asylum procedure and whether all relevant authorities are provided with expertise on the best interest determination;

(b) Whether the State party intends to amend the Aliens Act in order that child-specific forms of persecution, such as the risk of becoming the victim of forced labour, child marriage, trafficking, female genital mutilation or being recruited as a child soldier, can serve as grounds for obtaining asylum in the State party;

(c) Whether the State party intends to repeal the provisions of the Aliens Act that allow the expulsion or deportation of children who have been placed in out-of-home care owing to negligence and/or domestic violence.

15. Please comment on the report by the Europe Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, according to which, in some instances, children in conflict with the law are not informed of their rights or are interrogated without a lawyer being present. In so doing, please indicate whether testimony or statements made by a child in the absence of a lawyer may be used in legal proceedings.

16. In view of the right of an unaccompanied child to be provided with a guardian ad litem within 24 hours, please provide information on why there have been cases where children have to wait for weeks for such a guardian to be appointed. Please also indicate measures taken to support unaccompanied and asylum-seeking children, many of whom feel insufficiently supported and are not provided with winter clothes, personal hygiene articles and school materials, and provide information on the extent of their access to health care. Please comment on reports that significant numbers of unaccompanied children have disappeared from reception centres each year and, if so, indicate what investigations have been conducted to address the situation and outcome thereof.

17. In relation to the Committee's observations under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC/C/OPSC/SWE/CO/1), please indicate whether any steps have been taken to strengthen the Child Pornography Act and to also apply the age limit of 18 to the crime of distributing, disseminating, offering, selling, possessing and accessing child pornography. Please also indicate whether the State party intends to enable extraterritorial jurisdiction, including extraterritorial jurisdiction without the criterion of double criminality, for all offences under the Optional Protocol, and to remove the limits on extradition for all offences under the Optional Protocol, in particular the requirement of double criminality and the requirement of a minimal penalty under the Penal Code.

18. In relation to the Committee's observations under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/SWE/CO/1) and with reference to paragraph 385 of the State party report, please provide updated information on the draft Act on International Crimes, according to which anyone who recruits children under the age of 15 to armed forces, or uses them in battle, is liable to prosecution for a war crime.

## Part II

**In this section, the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:**

(a) New bills and laws, and their respective regulations;

- (b) New institutions and their mandates, and institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

### **Part III**

#### **Data, statistics and other information, if available**

1. Please provide consolidated budget information for the past three years on budget lines regarding children and social sectors, by indicating the percentage of each budget line in terms of the total national budget and gross national product and geographic allocation.
2. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographic location, and socioeconomic status, for the past three years on:
  - (a) Children involved in prostitution;
  - (b) Trafficked children;
  - (c) Children placed in detention;
  - (d) Children placed in solitary confinement;
  - (e) Unaccompanied asylum-seeking children having disappeared from reception centres;
  - (f) Children diagnosed with attention deficit hyperactivity disorder and treated with amphetamine and amphetamine-like psychostimulant drugs.
3. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, covering the past three years, on the number of children:
  - (a) Separated from their parents;
  - (b) Placed in institutions;
  - (c) Placed with foster families;
  - (d) Adopted domestically or through intercountry adoption.
4. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, for the past three years, on the number of children with disabilities:
  - (a) Living with their families;
  - (b) In institutions;
  - (c) Attending regular primary schools;
  - (d) Attending regular secondary schools;
  - (e) Attending special schools;
  - (f) Out of school;
  - (g) Abandoned by their families.
5. Please provide the Committee with an update of any data in the report which may have been superseded by more recent data collected or affected by new developments.
6. In addition, the State party may list issues affecting children that it considers to be of priority with regard to the implementation of the Convention.