

| UN CRC         | Ratification<br>Date | Care-Related Concluding Observations  |
|----------------|----------------------|---|
| CRC/C/SWE/CO/4 | 29 June 1990         | 4 February 2015   |
|                |                      | http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fSWE%2<br>fCO%2f5⟪=en   |
|                |                      | III. Main areas of concern and recommendations  |
|                |                      | E. Violence against children (arts. 19, 24, para.3, 28, para. 2, 34, 37 (a) and 39)   |
|                |                      | Torture and other cruel or degrading treatment or punishment  |
|                |                      | 25. The Committee is seriously concerned about the practice of solitary confinement of children in conflict with the law in remand prisons and police cells and the high number of children in the latter, as well as about the coercive and involuntary treatments infringed on children with disabilities in mental health care settings, in particular the use of straps or belts for up to two hours, and of seclusion. |
|                |                      | 26. With reference to the Committee's general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and to general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee urges the State party to:  |
|                |                      |   |
|                |                      | (b) Fully legally ban the use of straps or belts as well as of seclusion in mental health care settings and in any other institution;   |
|                |                      | (c) Ensure that children in all care institutions have access to an independent complaints<br>mechanism, that the conditions in these institutions are regularly and effectively monitored,<br>and that reports of cruel, inhuman and degrading treatment of detained children are promptly<br>and impartially investigated;  |



Country Care Review: Sweden

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## F. Family environment and alternative care (arts. 5, 9-11, 18 (paras. 1 and 2), 20-21, 25 and 27 (para. 4))

## Children deprived of a family environment

- 34. The Committee appreciates the various measures taken by the State party to facilitate contact between children and their incarcerated parents, including visiting apartments in several prisons. The Committee is however concerned that the "principle of closeness" only constitutes one factor among others to be taken into consideration, instead of being mandatory, which can lead children to travel long journeys to visit their parents, with some families not being able to undertake these journeys because of economic constraints. The Committee is also concerned that having to travel a long journey does not automatically constitute a justification to extend the duration of the visit in some prisons.
- 35. The Committee recommends that the State party take all necessary measures to ensure that children can maintain personal relations and direct contact with parents in prisons and reintroduce the systematic application of the principle of closeness. The Committee also encourages the State party to continue increasing child-friendly visiting possibilities in prisons.
- 36. The Committee is concerned at reported instances of arbitrary interferences in the family life of Afro-Swedes and Africans and removal of children by social welfare authorities, as already pointed out by the United Nations' Working Group of Experts on People of African Descent after their visit to the State party.
- 37. The Committee recommends that the State party ensure that practices involving the removal of children from their families are fully regulated and that removal is always subject to a thorough investigation, in accordance with the best interests of the child and used as a measure of last resort.
- I. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)

## Asylum-seeking and refugee children

48. The Committee is concerned about reported cases of asylum-seeking children sent back to their country of origin in violation of the principle of non-refoulement. The Committee furthermore notes with concern



Country Care Review: Sweden

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| that:  |                                     |
| <ul> <li>(a) Unaccompanied and asylum-seeking children are at particular r<br/>abuse, with many cases of unaccompanied children disappearing<br/>being insufficiently investigated;</li> </ul>                         | •                                   |
| (b) Child-specific forms of persecution such as the risk for children of<br>labour, child marriage, trafficking, female genital mutilation or k<br>not being explicitly contained in the Aliens Act as grounds for ob- | peing recruited as a child soldier, |
| (c) Children who have been placed in out-of-home care due to ne<br>may be deported together with their parents in accordance with  | _                                   |
| (d) The Act on Guardians for Unaccompanied Children, Secti<br>appointment of a guardian for the child "as soon as possible", do<br>in some cases leads children to wait for several weeks before a g                   | oes not set any timeframe, which    |
| <ul><li>(e) Guardians are not always properly trained and not always accomeeting the child;</li></ul>  | mpanied by an interpreter when      |
| <ul><li>(f) Reported cases of lengthy waiting periods being imposed on chil<br/>asylum claim; and</li></ul>  | dren until determination of their   |
| (g) Reports according to which many unaccompanied and asylum-s<br>with winter clothes, personal hygiene articles and school materia  |                                     |
| 49. The Committee urges the State party to take prompt measures to e returned to their country of origin, the principle of non-refoulement is alw. Committee recommends that the State party:                          |                                     |
| <ul> <li>(a) Investigate all cases of disappearance of unaccompanied of<br/>measures to increase their protection;</li> </ul>  | hildren and take all necessary      |
| (b) Revise the Alien Act in order to explicitly include child-specifi<br>the risk of becoming the victim of forced labour, child marr<br>mutilation or being recruited as a child soldier, as grounds for o            | iage, trafficking, female genital   |

(c) Ensure that no child is deported back with parents or guardians he or she was taken away from



Country Care Review: Sweden

|                        |                               | because he or she suffered violence and/or abuse whilst in their care, and undertake a best interests determination for any decision concerning this child;  (d) Ensure by law that each unaccompanied child is immediately appointed a guardian, who is adequately trained and receives regular continued training, and that the child has regular meetings with his or her guardian and that in case of language problems an interpreter is appointed to enable effective communication between them; and  (e) Ensure a speedy processing of asylum applications and that all asylum-seeking children are fully provided with basic necessities, in particular adequate clothing and personal hygiene articles, as well as all necessary school materials.  Country Report  CRC/C/SWE/5 |
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|                        |                               | http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fSWE%2<br>f5⟪=en  |
| OPSC to CRC            | Ratification Date 19 Jan 2007 | Care-Related Concluding Observations  |
| OPAC to CRC            | Ratification Date 20 Feb 2003 | Care-Related Concluding Observations  |
| ICCPR                  | Ratification<br>Date          | Care-Related Concluding Observations  |
| CCPR/C/SWE/CO/6 ICESCR | 6 Dec 1971 Ratification Date  | Care-Related Concluding Observations  |



| E/C.12/SWE/CO/5  | 6 Dec 1971   |  |
|------------------|--------------|--|
| CEDAW            | Ratification | Care-Related Concluding Observations   |
|                  | Date         |  |
| CEDAW/C/SWE/CO/7 | 2 July 1980  |  |
| CRPD             | Ratification | Care-Related Concluding Observations   |
|                  | Date         |  |
| CRPD/C/SWE/CO/1  | 15 Dec 2008  | 11 May 2014  |
|                  |              | http://tbinternet.ohchr.org/ layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fSWE%2fC O%2f1⟪=en  |
|                  |              | II. Positive aspects   |
|                  |              | 4. The Committee commends Sweden for its inclusive education system, where 1.5 per cent of children are instructed outside of regular schools in accordance with the decision made by their family.  |
|                  |              | III. Principal areas of concern and recommendations  |
|                  |              | Children with disabilities (art. 7)  |
|                  |              | 15. The Committee is concerned at reports indicating that children with disabilities are exposed to higher rates of violence than other children, and that there is a lack of awareness among staff working with children.   |
|                  |              | 16. The Committee recommends that the State party develop research as well as a collection of data and statistics on violence against children with disabilities. It also recommends that the State party reinforce its strategy and initiatives for the sensitization and training of parent s and staff working with children as |



Country Care Review: Sweden

well as for awareness-raising among the general public.

- 17. The Committee is concerned at reports that reveal that rates of mental health and psychosocial issues and disorders are high among young people; that school health services are underresourced; and that access to school psychologists and the psychosocial support system involves a long wait.
- 18. The Committee recommends that the State party increase the resources available for school health services to ensure that children have access to and receive appropriate psychosocial and mental health support and psychiatric health care in a timely manner.
- 19. The Committee is concerned that children with disabilities are not systematically involved in decisions concerning their lives and that they lack opportunities to express their opinions on matters concerning them.
- 20. The Committee recommends that the State party ensure existing safeguards and adopt additional ones to protect the right of children with disabilities to be consulted in all matters concerning them. Freedom from torture and cruel, inhuman or degrading treatment or punishment (art. 15)
- 39. The Committee is concerned about the methods used in coercive and involuntary treatment of boys and girls with disabilities in mental health care settings, in particular the use of straps or belts and the use of seclusion, as reported by the Ombudsman for Children in Sweden.
- 40. The Committee urges the State party to implement the recommendations of the Ombudsmen for Children in relation to boys and girls with disabilities in metal health care settings.

Freedom from exploitation, violence and abuse (art. 16)

- 41. The Committee is concerned at reports showing the level of violence to which women with disabilities are being exposed, and at the low percentage of shelters accessible to persons with disabilities.
- 42. The Committee recommends that the State party ensure that violence and abuse against girls, boys and women with disabilities are identified; that necessary support is available; and that the issue is



Country Care Review: Sweden

|     |                       | addressed in national training courses for personnel working in health and medical care, schools, the police force and the judiciary.  Respect for home and the family (art. 23)  45. The Committee is concerned that social services can, upon requirement by a country of origin, deny the international adoption of a child to families where one partner has a disability; it is also concerned about families with disabilities being subjected to additional investigations, carried out by local authorities and social services in the framework of the national adoption system, to assess their parenting ability.  46. The Committee recommends that the State party ensure the prohibition of discrimination on the basis of disability in adoption procedures.  C. Specific obligations (arts. 31–33)  Statistics and data collection (art. 31)  57. The Committee is concerned that data is scarce on matters affecting girls, boys and women with disabilities, including those belonging to indigenous groups |
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|     |                       | 58. The Committee recommends that the State party systematically collect, analyse and disseminate data on girls, boys and women with disabilities, including those belonging to indigenous groups.  |
| UPR | Date of Consideration | Link to Page  |
|     | 7 May 2010            | http://www.ohchr.org/EN/HRBodies/UPR/Pages/SESession8.aspx  |



| Hague Intercountry Adoption | Ratification<br>Date | Link to Country Profile  |
|-----------------------------|----------------------|--|
|                             | 28 May 1997          | http://www.hcch.net/index_en.php?act=publications.details&pid=5097&dtid=42 |

## **Acronyms and Abbreviations:**

CEDAW Convention on the Elimination of All Forms of Discrimination against Women CRC Convention on the Rights of the Child/Committee on the Rights of the Child

CRPD Convention on the Rights of Persons with Disabilities ICCRP International Covenant on Civil and Political Rights

ICESCR International Covenant on Economic, Social and Cultural Rights

OPAC to CRC Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

OPSC to CRC Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

UN United Nations

UPR Universal Periodic Review